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Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Report of the Secretary-General*

Summary

In accordance with General Assembly resolution 54/239 B of 15 June 2000, the present report contains the resource requirements for 2001 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

The resources proposed for 2001 amount to $112,464,300 gross ($100,180,800 net), and reflect an increase of $4,238,200 net and an additional 89 posts over the 2000 appropriation and authorized staffing level.

* The delayed submission of the document is attributable to the extensive consultations that had to be carried out between Headquarters and the International Tribunal for the Former Yugoslavia prior to the finalization of the budget proposals, and to the need to carry out other high priority tasks.

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I. Introduction

1. The terms of reference of the International Tribunal for the Former Yugoslavia were established by the Security Council in its resolution 808 (1993) of 22 February 1993. The Statute of the Tribunal, adopted by the Security Council in its resolution 827 (1993) of 25 May 1993, provides in article 11 that the Tribunal shall consist of three organs, namely, the Chambers, the Prosecutor and a Registry. The activities for which the Tribunal is responsible also appear in the Statute.

2. On 15 June 2000, the General Assembly adopted resolution 54/239 B and decided to appropriate to the Special Account for the International Tribunal for the Former Yugoslavia a total amount of $106,149,400 gross ($95,942,600 net) for 2000.

3. Since starting to operate in 1993, the Tribunal has undergone rapid and continuous expansion. A subsidiary organ of the Security Council created by virtue of Chapter VII of the Charter of the United Nations whose mission is to facilitate peacemaking and security in the Balkans by trying persons responsible for serious violations of international humanitarian law, the Tribunal has become a court of international criminal justice operating according to the recognized principles of justice. The Tribunal has now reached a turning point to be confronted with managing quantity while not allowing itself to sacrifice the quality of its proceedings. The functioning of the Tribunal was analysed in depth by the Expert Group to Conduct a Review of the Effective Operation and Functioning of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda established by the Secretary-General pursuant to General Assembly resolution 53/212 of 18 December 1998. The Expert Group made recommendations in its report (A/54/634), and the Tribunal's responses are reflected in the note by the Secretary-General transmitting comments thereon (A/54/850). In this connection, the Security Council has yet to take a decision on the addition of two judges, to come from the International Criminal Tribunal for Rwanda, for the Appeals Chamber, and on the possible utilization of ad litem judges.

4. Given the projected number of investigations, arrests and detainees, the continued growth of the Tribunal's workload is to be expected. Over recent years, arrests have multiplied and there is now almost one a month. The accused persons being arrested are increasingly high-placed and of the 37 presently in detention, 26 are on trial in 13 separate cases. For the first time, two accused persons have been provisionally released on grounds linked to the number of accused awaiting trial. In the light of the events in Kosovo and the Prosecutor's intention to bring to a close 36 investigations relating to 150 suspects, it is proving to be critically important for the Tribunal to plan and prepare its medium and long-term operations. Consequently, the Tribunal is determined to respond to the Expert Group's recommendations on how best to accomplish its mission in a more effective and expeditious manner.

5. The goal of the Chambers in 2001 is to continue to reduce the amount of time detainees spend in detention awaiting trial, during trial and during the appeals process. In addition to the measures currently being taken, the Trial Chambers will also aim to increase the Tribunal's trial capacity by using, subject to a decision by the Security Council, ad litem judges as advocated by the Tribunal's judges in the report on the operation of the Tribunal (A/55/382-S/2000/865).

6. With respect to the Office of the Prosecutor, activities in 2001 will continue to ensure thorough, objective and timely investigations into serious alleged violations of international humanitarian law, the issuance of well-founded indictments against higher-level suspects and notorious offenders and the timely prosecution of all accused persons surrendered to the Tribunal.

7. The Registry will continue to support the increased judicial activities as well as prosecutions and investigative activities.

8. The resource requirements proposed for the year 2001 amount to $100,180,800 net, which represents an increase of $4,238,200 net (4.4 per cent) over the 2000 appropriation. The proposed increase is driven mainly by the following factors: (a) the increased level of trial activities as a result of higher utilization of courtrooms and the implementation of new procedures, such as in pre-trial management; (b) additional office space to accommodate the Tribunal's expansion; and (c) an increased number of detainees projected for the year 2001. As a result, the increases are reflected in the areas of travel, contractual services, general operating expenses and the acquisition of equipment. The budgetary assumptions appear in annex I. The justifications for new, reclassified and redeployed posts are in annex II. The monthly incumbency report for 2000 and organization charts are shown in annexes III and VIII. Annexes IV, V and VI include equipment requirements, workload indicators, voluntary contributions and Trust Fund activities. Annex VII, on follow-up action taken to implement recommendations of the internal and external oversight bodies and the Advisory Committee on Administrative and Budgetary Questions, includes responses to the recommendations of the Expert Group. The budgetary implications of the introduction of ad litem judges in 2001 proposed by the Tribunal appear in annex IX. The calculations for the financing of the Tribunal in 2001 appear for information purposes in annex X.

9. The distribution of the total resources of the Tribunal in 2001 would be as follows:

	Assessed budget	*Extrabudgetary*
	(Percentage)	
Chambers	3.3	-
Office of the Prosecutor	29.3	56.2
Registry	67.4	43.8
Total	**100.0**	**100.0**

Table 1
Summary of requirements
(Thousands of United States dollars)

(1) Assessed budget

	(1) 1999 expenditures	*(2) 2000 appropriations*	*(3) 2001 estimates*	*(4) = (3)-(2) Resource change*	*(5) = (4) / (2) Percentage change*
Expenditure section	84 145.6	106 149.4	112 464.3	6 314.9	5.9
Income section	4 498.5	10 206.8	12 283.5	2 076.7	20.3
Total	**79 647.1**	**95 942.6**	**100 180.8**	**4 238.2**	**4.4**

(2) Extrabudgetary resources

	(1) 1999 expenditures	*(2) 2000 estimates*	*(3) 2001 estimates*	*(4) = (3)-(2) Resource change*	*(5) = (4) / (2) Percentage change*
Support activities	1 906.8	2 015.0	2 132.6	117.6	5.8
Substantive activities	5 438.7	3 680.0	2 738.0	(942.0)	(25.6)
Total	**7 345.5**	**5 695.0**	**4 870.6**	**(824.4)**	**(14.5)**
Total (1) and (2)	**86 992.6**	**101 637.6**	**105 051.4**	**3 413.8**	**3.4**

Table 2
Summary of requirements by object of expenditure
(Thousands of United States dollars)

(1) Assessed budget

	(1) 1999 expenditures income	*(2) 2000 appropriations*	*(3) 2001 estimates*	*(4) = (3)-(2) Resource change*	*(5) = (4)/(2) Percentage change*
Expenditure					
Temporary posts	41 684.5	48 129.8	46 071.6	(2 058.2)	(4.3)
Other staff costs	3 906.5	9 274.2	7 615.4	(1 658.8)	(17.9)
Salaries and allowances of judges	2 492.6	2 584.5	3 204.1	619.6	24.0
Consultants and experts	104.4	203.5	230.3	26.8	13.2
Travel	3 367.5	4 487.8	5 129.4	641.6	14.3
Contractual services	15 970.9	18 716.4	22 686.8	3 970.4	21.2
Hospitality	1.5	4.0	4.0	-	-
General operating expenses	7 399.2	8 180.4	8 870.6	690.2	8.4
Supplies and materials	718.3	1 038.5	1 244.4	205.9	19.8
Furniture and equipment	4 001.7	2 688.2	4 397.0	1 708.8	63.6
Major construction, alteration	-	640.5	804.4	163.9	25.6
Staff assessment	4 498.5	10 201.6	12 206.3	2 004.7	19.7
Total expenditures (gross)	**84 145.6**	**106 149.4**	**112 464.3**	**6 314.9**	**5.9**
Income					
Staff assessment	4 498.5	10 201.6	12 206.3	2 004.7	19.7
Other income	0.0	5.2	77.2	72.0	1 384.6
Total requirements (net)	**79 647.1**	**95 942.6**	**100 180.8**	**4 238.2**	**4.4**

(2) Extrabudgetary resources

	(1) 1999 expenditures	(2) 2000 estimates	(3) 2001 estimates	(4) = (3)-(2) Resource change	(5) = (4)/(2) Percentage change
Expenditure					
Temporary posts	566.2	478.5	481.6	3.1	(0.6)
Other staff costs	4 042.6	3 225.0	2 789.0	(436.0)	(13.5)
Consultants	-	-	-	-	n/a
Travel	587.7	530.0	136.0	(394.0)	(74.3)
Contractual services	493.8	-	194.0	194.0	n/a
General operating expenses	215.9	430.0	461.0	31.0	7.2
Supplies and materials	450.4	431.5	369.0	(62.5)	(14.5)
Furniture and equipment	669.0	400.0	340.0	(60.0)	(15.0)
Alteration to premises	319.9	200.0	100.0	(100.0)	(50.0)
Total (net)	**7 345.5**	**5 695.0**	**4 870.6**	**(824.4)**	**(14.5)**
Total (1) and (2) (net)	**86 992.6**	**101 637.6**	**105 051.4**	**3 413.8**	**3.4**

Table 3
Summary of post requirements

	Assessed budget			*Extrabudgetary resources*			*Total*	
	2000	*2001*	*Change*	*2000*	*2001*	*Change*	*2000*	*2001*
Professional category and above								
Under-Secretary-General	1	1	-	-	-	-	1	1
Assistant Secretary-General	1	1	-	-	-	-	1	1
D-2	1	1	-	-	-	-	1	1
D-1	4	5	1	-	-	-	4	5
P-5	31	32	1	-	-	-	31	32
P-4	95	104	9	-	-	-	95	104
P-3	167	182	15	1	1	-	168	183
P-2/1	120	118	(2)	-	-	-	120	118
Subtotal	**420**	**444**	**24**	**1**	**1**	**-**	**421**	**445**
General Service and related categories								
Principal level	12	12	-	-	-	-	12	12
Other level	306	352	46	13	13	-	319	365
Security Service	110	129	19	-	-	-	110	129
Subtotal	**428**	**493**	**65**	**13**	**13**	**-**	**441**	**506**
Total	**848**	**937**	**89**	**14**	**14**	**-**	**862**	**951**

II. Programme of work and resource requirements

A. Chambers

Table 4
Summary of requirements by object of expenditure[a]
(Thousands of United States dollars)

	(1) 1999 expenditures income	(2) 2000 appropriations	(3) 2001 estimates	(4) = (3)-(2) Resource change	(5) = (4)/(2) Percentage change
Expenditure					
Salaries and allowances of judges	2 492.6	2 584.5	3,204.1	619.6	24.0
Consultants and experts	8.7	15.0	15.0	-	-
Travel	32.8	65.2	63.4	(1.8)	(2.8)
Total expenditures (gross)	**2 534.1**	**2 664.7**	**3 282.5**	**617.8**	**23.2**
Income					
Staff assessment	-	-	-	-	-
Other income	-	-	-	-	-
Total requirements (net)	**2 534.1**	**2 664.7**	**3 282.5**	**617.8**	**23.2**

[a] Requirements for judicial and administrative support appear under the Registry.

10. The Chambers is the judicial organ of the Tribunal, performing the core activity of the Tribunal: the trial and determination of guilt or innocence of persons accused of serious violations of international humanitarian law within the former Yugoslavia. The judicial activities of the Chambers will continue to ensure that all accused persons are provided a fair trial without undue delay. In so doing, the Chambers must at all times protect and balance the rights of accused persons, victims and witnesses, as mandated by the Statute of the Tribunal.

11. The Chambers consists of the 14 judges. Within Chambers, three judges are assigned by the President, with the concurrence of the judges, to each of the three Trial Chambers, and five are assigned to the Appeals Chamber. Under the Statute of the International Criminal Tribunal for Rwanda, the Appeals Chamber of the International Tribunal for the Former Yugoslavia also serves as the Appeals Chamber for the Rwanda Tribunal. Trial Chamber judges are also responsible for the review and confirmation of indictments against accused persons to ensure that the Prosecutor has met the required standard for prosecution. Judges are also required to consider and issue warrants of arrest and seizure, together with any other orders sought by a party for the proper conduct of a case. Legal as well as secretarial support is provided by the Legal Section of the Chambers, which is described separately under the Registry.

12. The goal of the Chambers for the coming year is (a) to continue to reduce trial length and time spent on remand, in particular, by being more active in pre-trial management; and (b) for the Trial Chambers to increase the Tribunal's trial capacity by implementing the mechanism for the ad litem judges advocated in the report on

the operation of the Tribunal (A/55/382-S/2000/865), subject to a decision by the Security Council on a revision to the Statute of the Tribunal.

13. Since its inception, the Tribunal has undergone rapid and continuous expansion. The trials are complex, frequently involving multiple defendants and, as a result, are often lengthy. Combined with the substantial increases in the Tribunal's workload, there has been a concomitant increase in the length of detention for those indictees in the Tribunal's detention unit. In view of the Statute's requirement that detained persons be given expeditious trials, the length of proceedings is a serious issue that must be addressed. The current situation was analysed in depth by the Expert Group, and the Tribunal has demonstrated its determination to exploit all of the Group's recommendations to deal with the situation.

14. The Appeals Chamber now has a large number of interlocutory appeals and appeals on the merits not only from the Tribunal but also from the Rwanda Tribunal. The appeals on the merits involve not only complicated and significant legal issues but also a large number of records. Interlocutory appeals also have a bearing on the work of the Trial Chambers, as cases are frequently put on hold pending interlocutory appeals. In addition, the situation brought about by the requisite harmonization of the case-law and the slowness of proceedings, partly resulting from the dual role of the Chamber's judges and to the often unavoidable use of trial judges on appeal, will have to be resolved. This will require additional resources both for the operation of the Chamber and for judicial support. The Security Council has yet to decide on the addition of two judges for the Appeals Chamber, to be chosen from the judges who have been elected to the Rwanda Tribunal.

15. With the agreement of all the judges, the President of the Tribunal submitted a report on the operation of the Tribunal, presenting a prospective plan for improving its operations (A/55/382-S/2000/865). Proposals were made therein for the use of ad litem judges in order to increase the Tribunal's trial capacity. Should the Security Council decide on the introduction of additional judges, resources would be required to support the new judges and the related additional judicial activities.

16. To heighten the Tribunal's visibility and its achievements and to improve external communication, the outreach project will be continued (see A/54/518, annex VI, para. 7 (d)). It is essential for the Tribunal to communicate with the population of the former Yugoslavia in order to inform the people of its operation and it is of the utmost importance that they can access all information coming from the Tribunal in their own language, without having to rely on local media. Furthermore, the work and decisions of the Tribunal, in all forms, would be distributed to the legal community in general.

1. Activities

17. During 2001, the following activities will be undertaken:

(a) *Substantive activities*

(i) Courtroom activities: initial appearances, pre-trial motions, status conferences, interlocutory appeals, trials, sentencing procedures, appeals, reviews, rule 61 hearings and deferrals;

(ii) Judicial activities: review and confirmation of indictments, applications for pre-surrender orders and warrants to assist in investigations;

(iii) Reporting to organs of the United Nations: reports by the President to the Security Council, as requested by a Trial Chamber or the Prosecutor, as to non-compliance by States with orders of the Tribunal, and the annual report to the Security Council and the General Assembly;

(iv) Issuance of appeals for international assistance to States;

(v) Publications: adoption and amendment of the Rules of Procedure and Evidence and the Rules of Detention, overall policy direction and supervision of publications, such as the basic documents and the *Yearbook*, in both working languages of the Tribunal, in both hard-copy and electronic formats and for external publication in book form;

(vi) Opinions/decisions/judgements of trial proceedings: research, preparation, drafting, editing and issuance of all such documents, in both working languages of the Tribunal, in both hard-copy and electronic formats and for external publication in book form;

(vii) Press releases and press conferences: although judges in trial usually refrain from giving press interviews, the President issues press releases on matters of importance to the Tribunal as a whole and participates in media interviews on relevant topics;

(viii) Special events: hosting visiting dignitaries, usually at the ambassador or foreign-minister level, and heads of State, introducing them to and explaining courtroom activities and facilities, establishing and maintaining high-level contacts with Governments of Member States to facilitate and improve cooperation with the Tribunal, and the swearing in of new judges, as required;

(b) *International cooperation and liaison*

(i) Non-governmental organizations: regular requests for speakers and participation in seminars, conferences and symposia on all aspects of judicial activities and requests to non-governmental organizations and others for submission of amicus curiae briefs on issues of general importance under consideration by the Chambers;

(ii) Participation in activities within the United Nations system: annual speech by the President to the General Assembly, participation in meetings concerning the role of the Tribunal within the United Nations system, provision of the Appeals Chamber for the International Criminal Tribunal for Rwanda and participation in discussions concerning the establishment of a permanent international criminal court.

2. Resource requirements

18. An overall increase in requirements ($619,600) for the Chambers reflects the increase in common staff costs for the 14 judges.

Salaries and allowances of judges

19. The estimated requirements of $3,204,100 includes the following:

(a) An annual salary of $160,000 for each of 14 judges ($2,240,000);

(b) An additional special allowance of $15,000 per annum for the President of the Tribunal ($15,000);

(c) An additional special allowance for the Vice-President of $94 for every day he/she acts as President, up to a maximum of $9,400 per year ($9,400);

(d) Common costs of judges ($939,700). The terms of office of the Tribunal's judges come to an end in November 2001 and it is anticipated that elections for a further term of office will take place. The provision is made on the assumption that seven judges will resign and will be replaced by seven new judges during 2001. Common costs include travel on home leave ($70,000), education allowance ($40,000), pension benefits ($245,900) and costs associated with installation and relocation ($583,800).

Consultants and experts

20. A provision of $15,000 (at the maintenance level) is required to cover the services of three amici curiae to prepare specialized legal briefs requiring expertise not available in the Chambers, plus travel expenses for those persons to appear before the Tribunal. Owing to the unique nature of the issues arising before the Tribunal, the judges wish to obtain as wide a range of views and opinions as possible from interested organizations and individuals, such as eminent professors or practitioners of law. Such consultation is either solicited by the Tribunal or granted to individuals on the basis of court requirements.

Travel

21. A provision of $63,400 is required under this heading. Estimated requirements of $29,500 would provide for the travel of the President to United Nations Headquarters in New York, including the presentation of the annual report of the Tribunal to the General Assembly, and to visit Member States to address senior government officials. In addition, a provision is made for the travel of judges to the region of former Yugoslavia in 2001 ($19,700) as well as for visits to crime scenes ($14,200).

B. Office of the Prosecutor

Table 5
Summary of requirements by object of expenditure[a]
(Thousands of United States dollars)

(1) Assessed budget

	(1) 1999 expenditures income	(2) 2000 appropriations	(3) 2001 estimates	(4) = (3)-(2) Resource change	(5) = (4)/(2) Percentage change
Expenditure					
Temporary posts	21 790.8	23 667.0	21 692.1	(1 974.9)	(8.3)
Other staff costs	1 267.6	4 868.8	4 824.3	(44.5)	(0.9)
Consultants and experts	68.3	98.7	124.1	25.4	25.7
Travel	2 141.1	2 295.0	2 633.5	338.5	14.7
Contractual services	10.8	49.7	62.6	12.9	26.0
Staff assessment	4 498.5	4 850.9	6 239.4	1 388.5	28.6
Total expenditures (gross)	**29 777.1**	**35 830.1**	**35 576.0**	**(254.1)**	**0.7**
Income					
Staff assessment	4 498.5	4,850.9	6 239.4	1 388.5	28.6
Total requirements (net)	**25 278.6**	**30 979.2**	**29 336.6**	**(1 642.6)**	**(5.3)**

(2) Extrabudgetary resources

	(1) 1999 expenditures	(2) 2000 estimates	(3) 2001 estimates	(4) = (3)-(2) Resource change	(5) = (4)/(2) Percentage change
Expenditure					
Other staff costs	3 706.7	2 400.0	2 100.0	(300.0)	(12.5)
Travel	578.8	500.0	86.0	(414.0)	(82.8)
Contractual services	483.0	-	20.0	20.0	n/a
General operating expenses	192.4	280.0	400.0	120.0	42.9
Supplies and materials	250.2	250.0	32.0	(218.0)	(87.2)
Furniture and equipment	227.6	250.0	100.0	(150.0)	(60.0)
Total (net)	**5 438.7**	**3 680.0**	**2 738.0**	**(942.0)**	**(25.6)**
Total (1) and (2) (net)	**30 717.3**	**34 659.2**	**32 074.6**	**(2 584.6)**	**(7.5)**

[a] Requirements for administrative support appear under the Registry.

Table 6
Summary of post requirements

	Assessed budget			*Extrabudgetary resources*			*Total*	
	2000	*2001*	*Change*	*2000*	*2001 estimate*	*Change*	*2000*	*2001*
Professional category and above								
Under-Secretary-General	1	1	–	–	–	–	1	1
Assistant Secretary-General	–	–	–	–	–	–	–	–
D-2	1	1	–	–	–	–	1	1
D-1	2	2	–	–	–		2	2
P-5	17	18	1	–	–	–	17	18
P-4	58	61	3	–	–	–	58	61
P-3	93	103	10	–	–	–	93	103
P-2/1	62	55	(7)	–	–	–	62	55
Subtotal	**234**	**241**	**7**	**–**	**–**	**–**	**234**	**241**
General Service and related categories								
Principal level	2	2	–	–	–	–	2	2
Other level	134	139	5	–	–	–	134	139
Security Service	–	–	–	–	–	–	–	
Subtotal	**136**	**141**	**5**	**–**	**–**	**–**	**136**	**141**
Total	**370**	**382**	**12**	**–**	**–**	**–**	**370**	**382**

22. The Office of the Prosecutor is mandated to both investigate and prosecute persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991. The objectives of the Office of the Prosecutor are to ensure thorough, objective and timely investigations into serious alleged violations of international humanitarian law; the issuance of well-founded indictments against higher-level suspects and notorious offenders based on reliable, relevant evidence; and the timely prosecution of all accused persons surrendered to the Tribunal in a manner that is fair to accused persons, victims and witnesses and to the international community, whose fundamental norms the Tribunal was established to protect.

23. The most significant development for the Office of the Prosecutor has been the effect of a number of arrests by the multinational Stabilization Force (SFOR). Since July 1999, nine accused persons have been detained by SFOR and transferred to The Hague. A tenth accused person was arrested in Austria and two others were transferred upon request from Croatia. The result of the 12 apprehensions and transfers has been that as of June 2000 the Office of the Prosecutor has been faced with preparing nine trials in addition to actively prosecuting four trials, compared with five trials the previous year. The impact on the workload has been significant, particularly because four of the accused persons are high-level perpetrators and therefore represent extremely large and complex trials. One of those, Momcilo Krajisnik, is among the group of the highest level accused in the Republika Srpska,

second only to Radovan Karadzic and Ratko Mladic. The Office of the Prosecutor does not currently have sufficient resources to carry out the required work. If the current rate of trial work and arrests is maintained, the number of cases awaiting trial at the end of 2001 will be greater than it is today. The budget of the Tribunal for 2001 is assuming 15 additional detainees during 2001, all of whom will be in the pre-trial phase throughout the year, and between 8 and 10 trials. The Office of the Prosecutor projects that 15 additional detainees will lead to 10 additional cases.

24. A second development affecting the work of the Office of the Prosecutor has been the change in the Government of Croatia. The new Government has changed its policy towards the Tribunal and is cooperating in many areas that had been frozen previously. One area is the access to archives. The new Government has agreed to provide the Tribunal with access to two significant collections of documentation in its possession or custody. One collection contains 2,200 binders of material, which could total up to 1 million pages. Teams assessing its value believe that up to a third of the material may be of great importance to investigations, current trials and appeals. A second collection is held by the Ministry of Defence and is currently being assessed. Processing this material for use in a timely manner is an unmanageable task given current resource levels. The Office of the Prosecutor is searching for technological answers to dealing with the material as well as reassigning staff.

25. A third development has been an increase in the number of trials being conducted and an increase in court sessions. In the first quarter, four trials were running concurrently and courtroom use was up by 75 per cent. Although the Office of the Prosecutor has been given resources for eight trial teams, it does not have adequate resources to deal with the current workload of four active trials and nine trials in preparation, particularly when trial attorneys are fully engaged in trial. The complexity of the high-level leadership trials compounds the resource problem.

26. Investigation work continues at a record pace. Based on workload indicators, investigators interviewed an average of 295 witnesses per month in 1999. In the first six months of 2000, the average number per month was 469. The sustained increase in witness statements has put additional pressure on the processing and analysis of documents. In addition, the combined number of investigations, trials and appeals that investigators are actively working on rose from 31 to 37 in the first half of 2000. It is imperative that the pace of investigation activities continue. It was mentioned that, in the proposed budget for 2000, to fulfil the mandate of the Tribunal, 36 investigations, involving 150 suspects or accused persons, must be completed. At that time, 19 of those had been started and the objective was to bring them to the indictment stage by the end of 2004. If the demands placed on the trial teams are not adequately addressed, however, it will be necessary to deploy resources from the investigation teams to the trial teams. This could mean that the Prosecutor's projected completion date of 2004 for investigations would have to be amended.

27. The Immediate Office of the Prosecutor is responsible for the formulation of the policies to be implemented in the performance of the Prosecutor's functions and duties under the Statute of the Tribunal. It is also responsible for the overall management and direction of the Prosecutor's Office as a whole, providing the legal, investigative and prosecutorial framework within which the objectives of the Office will be achieved. The Immediate Office, through the Appeals Counsel, is also

responsible for the preparation and presentation of all appeals, on behalf of the Prosecutor, to the Appeals Chamber of the Tribunal.

28. The Office of the Prosecutor estimates that there will be 10 appeals involving 25 defendants for the Tribunal and 6 appeals involving 14 defendants for the Rwanda Tribunal. The workload for 2001 therefore will show a significant increase over 2000, currently estimated at 10 for both Tribunals during 2000. Some of those appeals involve multiple defendants and thousands of pages of material that have to be reviewed and hundreds of pages of briefs that have to be drafted. With such an increase and the degree of research and preparation necessary for each appeal, it is apparent that the existing staff cannot handle the workload.

29. The Prosecution Division is responsible for the preparation and conduct of trial proceedings and all motion work before the Trial Chambers of the Tribunals. It also provides legal services to the Office of the Prosecutor, as well as legal guidance, direction, advice and substantive legal work to the Investigation Division.

30. The Investigation Division undertakes professional criminal investigations leading to indictments against those responsible for serious violations of international humanitarian law. Investigation work is complex and involves not only investigators but also military and criminal intelligence analysts, researchers, documents analysts and forensic specialists. The overall structure of the Investigation Division was reviewed in order to ensure that the Prosecutor's goal of completing the investigations by the end of 2004 is met and that the prosecution work, which will take considerably longer, is completed in the most effective and efficient way possible. To achieve those objectives, certain changes in the command structures of the teams were made by creating four command groups within the division. As a part of the restructuring, the Information and Evidence Section has been placed under the responsibility of Command Group Four in the Investigation Division.

31. The Information and Evidence Section is responsible for the efficient processing of all information, evidence, and other documentary and physical material received in the Office of the Prosecutor. Since the latter part of 1997, the Office of the Prosecutor has received, collected and generated thousands of pages of evidence and other documentation, including documents seized as a result of the execution of search warrants. This activity is likely to continue in 2001, along with other investigations. By managing the material through the use of the computer systems, the need to rely on other labour-intensive and cumbersome manual systems is avoided. At mid-June 2000, there were over 1.5 million pages of processed material and documentation in the evidence collection, comprising over 150,000 separate documents, 2,684 videos, 88,740 photographs and 518 audio tapes. The Section is responsible for the indexing, scanning, filing (both electronically and physically), location and subsequent retrieval of all relevant information, evidence, documents and other material that has been received and filed by the Prosecutor's Office.

32. The rate of documents processing is now up to approximately 50,000 pages a month; however, even this high rate cannot keep pace with the influx of documents and the backlog is continuing to increase. The Office of the Prosecutor will continue to rely on temporary assistance to make the most critical documents available to investigators and trial attorneys.

33. In 2000, two forensic projects, one in Bosnia and Herzegovina and the other in Kosovo, were included in the assessed budget using general temporary assistance. The Prosecutor considers that there will be no further investigative imperative to continue forensic investigations in Kosovo in 2001. Therefore, that project will be discontinued at the end of 2000. It was determined in 1999 that the exhumations programme in Bosnia would continue until the end of 2001.

1. Activities

34. During 2001, the following activities will be undertaken:

(a) *Substantive activities*

(i) Investigative activities: conduct investigations to gather relevant admissible evidence from witnesses, documents, periodicals, the press and other sources; analyse political, military and civilian information and material held by the Office of the Prosecutor; conduct forensic crime scene examinations; gather intelligence on indicted war criminals leading to arrests; gather additional evidence in support of prosecutions upon the arrest of indicted persons; prepare briefs of evidence for submission of indictments; in liaison with the Victims and Witnesses Section, ensure that witnesses attend trial; testify at trial proceedings and rule 61 hearings; and conduct and participate in indictment reviews;

(ii) Exhumation activities: exhume mass graves and conduct forensic examination of remains, both in situ and in laboratory (morgue) conditions;

(iii) Prosecution activities: draft indictments and appear before judges for confirmation proceedings; prosecute trials before trial chambers; prosecute or respond to all appeals before the Appeals Chamber; present evidence in rule 61 hearings to obtain international arrest warrants; conduct extensive searches for relevant material to be disclosed to the defence; prepare miscellaneous applications for orders from judges or trial chambers, including applications for subpoenas, search warrants, the detention of suspects and the transmission of arrest warrants; respond to defence motions; and prepare reports under rule 61 relating to the advertising of indictments;

(iv) Information management activities: manage the Office of the Prosecutor's information databases, such as the criminal intelligence database, the information index database and the electronic document management system; index evidentiary material and information sources, including witness statements, video and audio tapes, intelligence material submitted under rule 70 and press and other relevant open-sourced material; integrate evidence and witness statements into the information databases; ensure the custody, control and storage of material submitted under chain-of-custody procedures, including decontamination and preservation; conduct database searches for disclosure of evidence to defence counsel; and develop, modify and test database applications for the Office of the Prosecutor;

(v) Requests for assistance: address requests to States and non-governmental organizations for assistance pursuant to the rules and articles of the Statute of the Tribunal, including identification and location of witnesses, supplying relevant evidence, authentication of evidence and provision of security for witnesses and evidence; issue requests to States for confidential information

under rule 70; make requests to States, non-governmental organizations and private individuals for funds for extrabudgetary activities or for contributions in kind; issue appeals to SFOR, the United Nations Mission in Bosnia and Herzegovina (UNMIBH) and the United Nations Mission in Kosovo (UNMIK) for security assistance for investigative missions, exhumation activities, arrest of indicted persons and security of witnesses;

(vi) Press releases, statements and conferences: issue press releases following major activities, and achievements and on the occasion of visits by high-level delegations; hold press conferences during visits to the former Yugoslavia, Geneva and New York; and arrange press interviews of the Prosecutor and Deputy Prosecutor and joint press conferences on the occasion of visits by high-level delegations;

(vii) Special events: organize training workshops for the former Yugoslavia and Rwanda Tribunals and briefings for the diplomatic community;

(b) *International cooperation and liaison*

(i) International bodies: maintain regular contact with the North Atlantic Treaty Organization (NATO), the Supreme Allied Commander Europe, SFOR, KFOR, Interpol, the Office of the High Representative in Bosnia and Herzegovina, the International Committee of the Red Cross, the Organization for Security and Cooperation in Europe and the European Commission military monitors for discussions on matters of mutual cooperation and on the planning of future operations;

(ii) Non-governmental organizations: maintain regular contacts with many non-governmental organizations, including Physicians for Human Rights, Human Rights Watch, Norwegian People's Aid, Amnesty International, the American Bar Association, the Coalition for International Justice, the International Commission of Jurists, the Council on Foreign Relations, the International Peace Academy, the International Rehabilitation Council for Torture Victims, the European Action Council and United Nations Watch;

(iii) United Nations organizations: maintain regular contact with the Office of the United Nations High Commissioner for Refugees, UNMIBH/International Police Task Force, UNMIK, and the United Nations Secretariat, among others, for discussions on matters of mutual cooperation and on the planning of future operations.

2. Resource requirements

Temporary posts

35. The estimated requirements of $21,692,100 would provide for the continuation of 370 temporary posts and include a net resource reduction of $1,974,900, representing the net effect of the application of the new standard costs, the delayed impact of 24 posts newly established in 2000, the establishment of 13 new temporary posts, the transfer of 1 post (P-5) to the Rwanda Tribunal, and 8 reclassifications (from P-2 to P-3) in view of the expanding responsibilities related to trials. The 13 new posts are proposed in order to provide support for trials, appeals and other workload increases. A detailed justification of the new posts

appear in annex II. A summary of the 13 new posts, 1 transferred post, 8 reclassifications and redeployed posts by functional title, follows:

	Professional category and above							*General Service and related categories*				
	D-2	*D-1*	*P-5*	*P-4*	*P-3*	*P-2*	***Subtotal***	*Principal level*	*Other level*	*Security Service*	***Subtotal***	***Total***
Immediate Office of the Prosecutor												
Appeals Unit												
Appeals Counsel (Tribunal for Rwanda)[a]			(1)				(1)				–	(1)
Legal officer (Appeals, Tribunal for the former Yugoslavia)[b]				1			1				–	1
Legal officer (Appeals, Tribunal for the former Yugoslavia)[c]					1		1				–	1
Legal officer (Appeals, Tribunal for the former Yugoslavia)[c]						1	1				–	1
Prosecution Division												
Trial Section												
Senior trial attorney[c]			1				1				–	1
Legal officer (trial team)[d]					8	(8)	–				–	–
Legal officer (trial team)[c]					1		1				–	1
Trial Support Unit												
Chief, Trial Support Unit[b]						1	1				–	1
Case manager[c]							–		1		1	1
Trial support assistant[c]							–		1		1	1
Trial support clerk[c]							–		1		1	1
Co-Counsel Unit and Investigation Team Legal Advisers Unit												
Chief of Section[c]			1				1				–	1
Trial co-counsel[c]				2			2				–	2
Legal Advisory Section												
Legal adviser[b]				(1)			(1)				–	(1)
Investigation Division												
Investigations — Chief/Commanders Unit												
Investigation tracking analyst[b]					(1)		(1)					(1)
Investigations — Fugitive and Sensitive Sources Unit (Requests and Information Unit)												
Legal officer (financial tracing)[c]				1			1				–	1
Cartographic clerk[b]							–		1		1	1
Investigations — Military Analysis Team												
Criminal intelligence analyst[b]					1		1				–	1
Cartographic clerk[b]							–		(1)		(1)	(1)
Investigations — Teams												
Associate investigator[b]						(1)	(1)				–	(1)

	Professional category and above							General Service and related categories				
	D-2	D-1	P-5	P-4	P-3	P-2	Subtotal	Principal level	Other level	Security Service	Subtotal	Total
Investigations — administrative support												
Investigations assistant (Investigation commander)[c]							–		2		2	2
Total for the Office of the Prosecutor	–	–	1	3	10	(7)	7	–	5	–	5	12

[a] Transferred post.
[b] Redeployed post.
[c] New post.
[d] Reclassified post.

Other staff costs

36. The estimated costs of $4,824,300 reflecting a decrease of $44,500 would provide for the following:

(a) Overtime ($84,600). A provision is requested to cover overtime requirements of General Service personnel required to work outside of normal hours during peak times;

(b) General temporary assistance ($4,739,700). The net decrease of $39,100 from the 2000 appropriation represents the completion of exhumations in Kosovo in 2000, offset by the increased requirements of general temporary assistance for pre-trial and trial peak period. The proposed amount includes the following:

(i) Pre-trial and peak trial support ($1,659,700): the trial teams need additional help primarily with the following tasks: preparing, listing and submitting selected documents for translation; retrieving and summarizing the translated documents; loading documents into the collective team databases in order that the documents can be traced and retrieved; and photocopying documents at each step of the way and creating hard-copy files for production as court exhibits. The number of trials in preparation in mid-2000 had exceeded current capacities, and it was expected that the number of cases in the pre-trial phase would increase. Additional posts are requested in order to handle some of the workload, but some portion of pre-trial work is sporadic and could be better met by using temporary assistance. The peak workload was experienced mainly in three phases: pre-trial disclosure, analysis of disclosure materials and during trials. When an arrest is made, the Prosecution is required to fulfil disclosure obligations to the defence within certain time limits. The related database search to find relevant materials could take months. The next phase is for legal officers and analysts to analyse the materials that are found relevant. The final phase is during trial, when the trial team needs additional temporary help at peak periods, such as the opening of the prosecution case, the beginning of the defence case (when the witness list is finally revealed) and the closing arguments. However, each trial is different and all events in a trial cannot be predicted. For instance, in the Kordic case, during the defence phase, over 120 documents in Croatian were unearthed by the defence, which had to be translated and analysed by the Prosecution in a short-time period.

A provision for 220 work-months at the P-2 level and 220 months at the General Service level is proposed;

(ii) Indexing of documents ($1,415,100). The need for processing documentation continues to be a high priority for the Office of the Prosecutor, because in June 2000, the Office was given access to two archives, the Croatian Information Service Archive and an archive in the Ministry of Defence. The archives hold documentation from the former regime and the initial portion indicates that approximately 600,000 pages, or 30 per cent of the material, would be relevant to investigations and trials. The proposed amount is for a total of 480 work-months (General Service level). This would allow, at a rate of 65 pages per day, 40 General Service (Other level) staff working for one year to process the material. In addition, 12 work-months for a P-2 information officer is requested to ensure the most efficient use of computer systems resources for document exploitation;

(iii) Temporary analysts for the Military Analysis Team and the Leadership Research Team: provision ($565,600) is requested for 120 work-months at the P-2 level for analysts with language skills to assess material prior to translation. The large influx of processed documentation from Croatia has increased the need for its speedy analysis, since the materials are directly related to upcoming trials and future indictments. This procedure has proved invaluable in 2000;

(iv) Exhumations ($1,099,300): the provision includes requirements for the exhumation project in Bosnia and Herzegovina for a total of 274 work-months for general temporary assistance. The exhumation of mass graves in Bosnia and Herzegovina in 2001 will involve a multidisciplinary team of specialists, including archaeologists, pathologists, anthropologists, crime-scene officers, post-mortem technicians and many other disciplines. These personnel are recruited by the Tribunal on short-term contracts from police forces and courts throughout the world and rotate on a regular basis, as many of them can be released only for short periods of time.

Consultants

37. The provision of $124,100, reflecting an increase of $25,400, is proposed for consultants needed on an occasional basis by the Office of the Prosecutor to advise both investigators and prosecutors, such as forensic experts, to assess evidence coming from the exhumation project, specialized legal and military experts whose opinions are sought on particular issues. It is estimated that approximately 45 consultancies will be required in 2001, for up to 225 days at $200 per day for fees ($45,000) and travel-related costs ($79,100).

Travel

38. Total estimated resources of $2,633,500 reflect a growth of $338,500 over the 2000 appropriation. This is due mainly to the increased rate of daily subsistence allowance in Bosnia and Herzegovina, and increased travel for investigation and prosecution activities, as follows:

(a) Travel for investigations ($2,127,500). It is essential for investigation teams to travel to where the evidence is located in order to secure it before it is lost,

and to interview and record witness testimony, which continues to form the overwhelming bulk of evidence in prosecution cases. In 2001, it is anticipated that 575 missions will be undertaken, with an average of two persons per mission at a cost of $1,850 per person;

(b) Travel for exhumations ($209,700). The proposed amount is for travel costs for temporary personnel who would work in Bosnia and Herzegovina on the exhumation of mass graves. Specialists, such as pathologists, post-mortem technicians, radiographers and crime-scene officers, would work in rotation as many of them would be available only for a short duration;

(c) Prosecution travel ($180,000). The provision is based on 150 missions for one person per mission, at an average of $1,200 each;

(d) Other travel ($116,300). The Prosecutor, Deputy Prosecutor and senior staff are required to maintain high-level contact with cooperating Governments, including those in the former Yugoslavia, to ensure efficient implementation of activities and projects in both the former Yugoslavia and The Hague, where those projects involve cooperation and assistance from other intergovernmental organizations.

Contractual services

39. Provision of $62,600 (inclusive of course fees and subsistence and travel costs) is proposed for training of staff in the Office of the Prosecutor, including $22,500 for training of Investigation Division staff in analysis techniques, $25,000 for training of Information and Evidence Section staff in its various computer-based products and $15,100 for training of Prosecution Division staff.

Staff assessment

40. Staff assessment costs for the personnel described in the proposed staffing table for the Office of the Prosecutor are estimated at $6,239,400.

C. Registry

Table 7
Summary of requirements by object of expenditure
(Thousands of United States dollars)

(1) Assessed budget

	(1) 1999 expenditures	*(2) 2000 appropriations*	*(3) 2001 estimates*	*(4) = (3)-(2) Resource change*	*(5) = (4)/(2) Percentage change*
Expenditure					
Temporary posts	19 893.7	24 462.8	24 379.5	(83.3)	(0.3)
Other staff costs	2 638.9	4 405.4	2 791.1	(1 614.3)	(36.6)
Consultants and experts	27.4	89.8	91.2	1.4	1.6
Travel	1 193.6	2 127.6	2 432.5	304.9	14.3
Contractual services	15 949.3	18 666.7	22 624.2	3 957.5	21.2
Hospitality	1.5	4.0	4.0	–	–
General operating expenses	7 399.2	8 180.4	8 870.6	690.2	8.4
Supplies and materials	718.3	1 038.5	1 244.4	205.9	19.8
Furniture and equipment	4 001.7	2 688.2	4 397.0	1 708.8	63.6
Major construction, alteration of premises	–	640.5	804.4	163.9	25.6
Staff assessment	–	5 350.7	5 966.9	616.2	11.5
Total expenditures (gross)	**51 823.6**	**67 654.6**	**73 605.8**	**5 951.2**	**8.8**
Income					
Staff assessment	–	5 350.7	5 966.9	616.2	11.5
Other income	–	5.2	77.2	72.0	1 384.6
Total requirements (net)	**51 823.6**	**62 298.7**	**67 561.7**	**5 263.0**	**8.4**

(2) Extrabudgetary resources

	(1) 1999 expenditures	(2) 2000 estimates	(3) 2001 estimates	(4) (3)-(2) Resource change	(5) (4)/(2) Percentage change
Expenditure					
Temporary posts	566.2	478.5	481.6	3.1	0.6
Other staff costs	335.9	825.0	689.0	(136.0)	(16.5)
Travel	8.9	30.0	50.0	20.0	66.7
Contractual services	10.8	–	174.0	174.0	n/a
General operating expenses	23.5	150.0	61.0	(89.0)	(59.3)
Supplies and materials	200.2	181.5	337.0	155.5	85.7
Furniture and equipment	441.4	150.0	240.0	90.0	60.0
Alteration of premises	319.9	200.0	100.0	(100.0)	(50.0)
Total (net)	**1 906.8**	**2 015.0**	**2 132.6**	**117.6**	**5.8**
Total (1) and (2) (net)	**53 730.4**	**64 313.7**	**69 694.3**	**5 380.6**	**8.4**

Table 8
Summary of post requirements

	Assessed budget			*Extrabudgetary resources*			*Total*	
	2000	*2001*	*Change*	*2000*	*2001*	*Change*	*2000*	*2001*
Professional category and above								
Assistant Secretary-General	1	1	–	–	–	–	1	1
D-2	–	–	–	–	–	–	–	–
D-1	2	3	1	–	–	–	2	3
P-5	14	14	–	–	–	–	14	14
P-4	37	43	6	–	–	–	37	43
P-3	74	79	5	1	1	–	75	80
P-2/1	58	63	5	–	–	–	58	63
Subtotal	**186**	**203**	**17**	**1**	**1**	**–**	**187**	**204**
General Service and related categories								
Principal level	10	10	–			–	10	10
Other level	172	213	41	13	13	–	185	226
Security Service	110	129	19			–	110	129
Subtotal	**292**	**352**	**60**	**13**	**13**	**–**	**305**	**365**
Total	**478**	**555**	**77**	**14**	**14**	**–**	**492**	**569**

41. The Registry is responsible for the Tribunal's administration and for the servicing of the judicial infrastructure. The Registry has four major organizational

units: the Office of the Registrar, including the Public Information Services; the Judicial Support Division; the Legal and Witnesses Division (previously the Legal Division) and the Administrative Support Division. The overall work programme of the Registry is coordinated by the Office of the Registrar.

42. The result of additional legal support provided in 2000 to all Chambers was a significant increase in the pace of courtroom activity. Courtroom usage increased from approximately 30 per cent in 1999 to 75 per cent in 2000. As a consequence, the courts' other support requirements from all areas of the Registry have also increased.

43. The increased utilization of courtrooms has revealed an underestimation of support resources in previous years, especially in the Administrative Support Division and the Victims and Witnesses Section, where the increased level of resources approved for Chambers was not matched by an increase in personnel. The increase in courtroom activity in 2000 also increased the requirements of many parts of the Judicial Support Division, where resources were based on the activity levels of previous years. It is expected to maintain the pace of courtroom activity in 2001, and many areas of the Registry will need additional resources to provide adequate support for the current level of activity.

44. Under the direction of the Deputy Registrar, the Judicial Support Division is responsible for managing courtroom activities, providing legal support to the judges and the Chambers, including the Appeals Chamber, providing legal assistance through the assignment of defence counsel to indigent accused persons, supervising the Tribunal's Detention Unit, recommending protective measures, and maintaining contacts with Member States.

45. The Legal and Witnesses Division provides legal advice to the Administration on procurement and contracts, personnel and protocol issues; to the Office of the Registrar on international law issues, relations with host States, and the negotiation of enforcement of sentences and the relocation of witnesses agreements; to the Judicial Support Division on assistance in drafting and assessing proposed additions and amendments to the rules; and to the Office of the Prosecutor on general issues of international law and United Nations policies and procedures. In addition, the Legal and Witnesses Division provides the management of the Victims and Witnesses Section, which handles witnesses and the various issues associated with witness protection, logistics and welfare.

46. The Tribunal is provided with administrative support by the Administrative Support Division, including financial administration and resource planning, human resource management, and language, meetings and documentation services and security services, as well as the use of common services to support the implementation of the work programme, including electronic support and communications, building management services and the procurement of goods and services.

1. Activities

47. During 2001, the following activities will be undertaken:

(a) *Substantive activities*

(i) Victim and witness assistance activities: arrange safe transportation of witnesses from the home to The Hague, accompanying the witnesses, where necessary; carry out liaison with States for exit and entry permits, travel documents, safe-conduct agreements and visas, for pre- and post-trial protection and support services and for temporary and permanent relocation of witnesses, carry out liaison with host Governments for protection, safe accommodation and transportation for witnesses during trials; and carry out and ensure implementation of the policies of the Tribunal regarding reimbursement of lost earnings;

(ii) Defence counsel services: provide suspects and accused persons with access to legal assistance of their choice and, where applicable, free of charge; review claims of indigence from suspects and accused persons; and implement the directive on assignment of defence counsel;

(iii) Court management: carry out the tasks entrusted to the Tribunal in the rules of procedure in connection with pre-trial proceedings, in particular the procedures related to confirmation, amendment or withdrawal of indictments, the issue of arrest warrants, cases of failure to execute a warrant, the appearance of the accused, detention on remand and provisional release, as well as procedures to obtain depositions. Tasks in connection with proceedings before the Trial Chambers include the organization of trials and other hearings, procedures relating to amici curiae, summons of witnesses and experts, record-keeping, procedures for video-conferencing, procedures in case of contempt of court and procedures for the restitution of property and in connection with compensation to victims. In addition, functions have to be performed in relation to appellate and review proceedings and with respect to pardons and commutation of sentences;

(iv) Detention facility management: ensure that detainees are secure from escape and free from attack from other detainees or from outside agencies; ensure that the Tribunal's rules of detention are followed with regard to personal and official visits, the scheduling of exercise periods and the scheduling and provision of meals; scrutinize incoming and outgoing mail; schedule duties for detention guards hired from the host Government; cooperate with the host authorities and ensure that all facilities are provided in accordance with agreements and contracts; and host visits from non-governmental organizations monitoring activities within the Detention Unit;

(v) Publications: publish the annual *Yearbook* of the Tribunal, the basic documents of the Tribunal and transcripts of trials, decisions etc.;

(vi) Electronic, audio and video issuances: electronically produce and broadcast trial exhibits within the courts; broadcast time-delayed video of Tribunal proceedings to public areas of the headquarters building; and broadcast real-time audio of Tribunal proceedings to the public gallery of the courtroom in English, French and Bosnian/Croatian/Serbian;

(vii) Booklets, pamphlets and fact sheets: publish the monthly bulletin of Tribunal activities;

(viii) Press releases: issue press releases to local, national and international press regarding trial activities and visits to the two International Tribunals by persons of national and international standing;

(ix) Technical material for outside users: publish court transcripts on the Internet;

(x) Library services: ensure the selection, acquisition and maintenance of documents and publications regarding international law, international legal material, humanitarian law and national law relevant to the operations of the Tribunal for the use of judges, staff and defence counsel; and provide online information services to assist staff, in particular the legal officers and judges, with legal research and greater access to bibliographic information;

(b) *Conference and language support activities*:

(i) Meetings: provide simultaneous interpretation for all court hearings into and from English, French and Bosnian/Croatian/Serbian; and field interpretation covering consecutive interpretation for interviews of victims and witnesses conducted by the investigation teams, proofing of witnesses prior to their testimony in the courtroom, interviews with suspects or accused persons, and interviews with detainees, at the request of either the Office of the Prosecutor or the Registry;

(ii) Translation and editorial services: translate from and into English, French and Bosnian/Croatian/Serbian for the Registry, the courts and the Office of the Prosecutor; occasionally translate documents submitted in other languages, such as Arabic, Dutch, German, Russian or Swedish, and provide editorial services in respect of all documents issued in both working languages by the Chambers, such as opinions, orders and judgements of the Chambers, Rules of Procedure and Evidence, Rules of Detention, annual reports, reports of inter-sessional working groups and other official documents;

(iii) Documentation and publication services: prepare transcripts of court proceedings in English and French for every hearing in the courtroom for distribution the same day and publish transcripts of court proceedings in English and French, on the Internet no later than seven working days after the hearing;

(c) *Administrative support activities*:

(i) Financial management and control systems: ensure that the Tribunal complies with the Financial Regulations and Rules of the United Nations and with established procedures; administer the bank accounts and cash of the Tribunal; estimate cash requirements of the Tribunal, monitor and forecast the Tribunal's cash flow and develop strategies to deal with anticipated problems; improve and strengthen financial management and internal control, ensure timely receipt and safe custody of cash resources; improve payment systems in order to streamline processing; and enhance control mechanisms that protect payment systems and assets;

(ii) Human resource management: ensure that human resources planning, recruitment, placement and promotion systems are in place, taking into consideration equitable geographical distribution and gender balance;

(iii) Budgetary control and programme planning: ensure that the Tribunal complies with the budgetary policies and procedures of the United Nations through strict monitoring of expenditures and review of administrative

processes along with liaison and follow-up with the Board of Auditors and the Office of Internal Oversight Services to ensure remedial action where required;

(iv) Procurement and travel services: ensure that the purchasing of goods and services, including transportation services, is carried out in accordance with substantive and operational requirements while offering the best value for the Organization;

(v) General services: ensure the provision of commercial and procurement services, transportation services, facilities management and maintenance; and supervise construction activities and minor alterations to premises;

(vi) Electronic and communications services: ensure that the Tribunal has a strong and reliable infrastructure for data processing, office automation and telecommunications;

(vii) Security and safety: ensure the security of staff, indicted and accused persons, witnesses and visitors on the premises of the Tribunal and at its field offices; enforce fire safety regulations; escort detainees and witnesses to and from trial hearings; provide initial emergency medical treatment where necessary; and coordinate with host country emergency services.

2. Resource requirements

Temporary posts

48. The estimated requirements of $24,379,500 would provide for the continuation of 478 temporary posts and include a net resource decrease of $83,300, representing the net effect of the application of the new standard costs, the delayed impact of 40 posts newly established in 2000, the establishment of 77 new temporary posts and 5 reclassifications in view of the complexities and expanding responsibilities related to judicial and administrative activities. The 77 new posts are proposed in order to provide support for trials, appeals, additional new office space and other workload increases. A detailed justification of the new posts appears in annex II. A summary of the 77 new posts and 5 reclassified redeployed posts by functional title, follows:

	Professional category and above							*General Service and related categories*				
	D-2	*D-1*	*P-5*	*P-4*	*P-3*	*P-2*	***Subtotal***	*Principal level*	*Other level*	*Security Service*	***Subtotal***	***Total***
Immediate Office of the Registrar												
Special assistant to Registrar[a]				1			1				-	1
Administrative clerk[a]							-		1		1	1
Judicial Support Division												
Office of the Deputy Registrar												
Special assistant[a]					1		1				-	1
Office of the President												
Chef de Cabinet[b]			1	(1)			-				-	-
Court Management and Support Section												
Usher[a]							-		1		1	1
Court records assistant[a]							-		1		1	1
Reception assistant[c]							-		(1)		(1)	(1)
Records management clerk[a]							-		2		2	2
Records management clerk[c]							-		1		1	1
Transcript coordinator[a]							-		1		1	1
Detention Unit												
Deputy Commanding Officer[a]							-		1		1	1
Office of Legal Aid and Detention Matters												
Legal officer[b]				1	(1)		-				-	-
Counsel liaison clerk[c]							-		1		1	1
Library and Reference Unit												
Archivist[c]					(1)		(1)				-	(1)
Archives assistant[c]							-	(1)			(1)	(1)
Document clerk[c]							-		(2)		(2)	(2)
Legal and Witnesses Division												
Office of the General Counsel												
Senior legal officer[b]		1	(1)				-				-	-
Victims and Witnesses Section												
Protection officer[b]				1	(1)		-				-	-
Administrative assistant[a]							-		1		1	1
Field assistant[a]							-		1		1	1
Witness assistant[a]							-		1		1	1
Language assistant[a]							-		1		1	1
Administrative Support Division												
Archiving and Records Management Unit												
Archivist[c]					1		1				-	1
Archives assistant[c]							-	1			1	1

	Professional category and above							General Service and related categories				
	D-2	D-1	P-5	P-4	P-3	P-2	Subtotal	Principal level	Other level	Security Service	Subtotal	Total
Document clerk[c]							-		1		1	1
Security and Safety Section												
Deputy Chief[c]				1	(1)		-				-	-
Assistant Chief[c]							-	(1)			(1)	(1)
Security captain[c]							-	1			1	1
Security officer[a]							-			19	19	19
Finance Section												
Assistant accountant[a]						1	1				-	1
Finance assistant[a]							-		3		3	3
Human Resources Section												
Personnel assistant[a]							-		2		2	2
Training assistant[a]							-		1		1	1
Conference and Language Support Section												
Terminologist[a]					1		1				-	1
Reference clerk[a]							-		1		1	1
Translator/reviser – English[a]				2			2				-	2
Translator – English[a]					2		2				-	2
Associate translator – English						4	4				-	4
Text processing clerk – English							-		3		3	3
Language assistant[a]							-		4		4	4
Documents control coordinator												
Translator – French[a]					3		3				-	3
Text-processing clerk – French							-		2		2	2
Conference interpreter[a]				1			1				-	1
Conference interpreter[a]					1		1				-	1
Electronic Support and Communications Section												
Computer support assistant[a]							-		2		2	2
LAN administrator[a]							-		1		1	1
Audio-visual technician[a]							-		1		1	1
Court computer operations assistant							-		1		1	1
Procurement Section												
Travel and traffic officer[c]						(1)	(1)				-	(1)
Procurement clerk – Invoicing[a]							-		1		1	1
Travel/traffic assistant[c]									(3)		(3)	(3)
General Services and Travel Section												
Building maintenance technician[a]							-		2		2	2
Building services clerk[a]							-		1		1	1
Reproduction clerk[a]							-		1		1	1

	Professional category and above							General Service and related categories				
	D-2	D-1	P-5	P-4	P-3	P-2	Subtotal	Principal level	Other level	Security Service	Subtotal	Total
Supply clerk[a]							-		1		1	1
Mail and pouch clerk[a]							-		2		2	2
Travel and traffic officer[c]						1	1				-	1
Travel/traffic assistant[a]							-		1		1	1
Travel/traffic assistant[c]							-		3		3	3
Total for Registry	-	1	-	6	5	5	17	-	41	19	60	77

[a] New post.
[b] Reclassified post.
[c] Redeployed post.

Other Staff costs

49. The estimated cost of $2,791,100 reflects a net decrease in requirements of $1,614,300, related mainly to the changeover from direct court reporting to Remote Court reporting in French now reflected under contractual services and the reduced requirements under general temporary assistance for the screening of seized documents. The proposed amount would provide the following:

(a) *Temporary assistance*

(i) Translation and interpretation ($420,700): temporary assistance is required for short-term additional translators at the time of the arrival of new detainees, the issuance of judgements and other important decisions and the disclosure of evidence. The volume of the supporting material to be translated on these occasions varies from case to case, but on average 1,000 pages need to be translated into the language of the accused (Bosnian/Croatian/Serbian). To complete this task within 30 days, as required by rule 66, the Tribunal needs to contract outside translators. The provision of $362,200 would enable the use of translators for 1,200 days during peak periods. It is expected that in 2001 there will be more detainees to be arrested or surrendered as well as an increase in the issuance of judgements and decisions. With regard to conference interpretation ($58,500), the services of freelance conference interpreters would be required in 2001 to cover unexpected absences of staff (due to illness, etc.), and for cases in which an additional language was being used in the courtroom with witnesses who testify in languages other than the working languages of the Tribunal;

(ii) Field interpretation ($614,400): the provision includes fees ($445,200) and daily subsistence allowance ($169,200) for interpreters as required by field missions in order to ensure that they can communicate effectively with interviewees, many of whom speak little English or French. The most cost-effective way of providing this service is by hiring local interpreters for a few days at a time on special service agreement contracts. In 2001 it is estimated that there will be 288 investigative missions, 120 prosecution/witness-proofing missions and 62 missions to escort witnesses from the former Yugoslavia that will require interpreters. These missions would require interpreters

approximately for 10 days for investigative missions, 4 days for prosecution/witness-proofing missions and 5 days for escort missions;

(b) *General temporary assistance*

(i) Document screening project ($792,500): the documentary evidence seized from a number of locations in Bosnia and Herzegovina and Kosovo is crucial to the Prosecutor's investigations and prosecutions. Approximately 225,000 pages of documents were seized in Bosnia and Herzegovina, all of which are in Bosnian/Croatian/Serbian. Approximately 300,000 pages of documents have been seized to date in Kosovo which are in a mixture of Bosnian/Croatian/Serbian and Albanian, much of which is in the Cyrillic alphabet. This material must be processed (screened) and translated on a timely basis so that it can be used effectively by investigation and prosecution teams. The provision is based on 280 work-months (General Service (Other level));

(ii) Exhumations project ($169,800): the administration of the exhumation projects in Bosnia and Herzegovina requires temporary assistance in the areas of finance, personnel, procurement, communications and travel. In order to ensure that the project is properly administered, it is requested that a total of 60 work-months of assistance be provided to support peak workload periods;

(iii) Court record management ($34,000): a provision is requested for the project to automate court records, based on 12 work-months (General Service (Other level));

(iv) Management of expansion to the additional office space ($56,600): the provision is based on 12 work-months (P-2 level) for additional support to the Building Management Unit in order to source, plan and supervise the move to the new building and management of office space;

(v) Other ($237,700): this requirement relates to the replacement of staff on annual, sick or maternity leave, or to cover unforeseen requirements or peak workload periods. The provision is calculated on the basis of 84 work-months of General Service personnel;

(c) *Overtime and night differential ($465,400)*. The provision includes overtime costs ($422,400) required to cover extended court hours, as well as coverage for major administrative functions during periods of peak workload and night differential for services rendered by the Security and Safety Section ($43,000).

Consultants and experts

50. A provision of $91,200 is requested to cover costs related to expert witnesses ($55,100), language support, software consultancy and financial evaluation of accused persons ($36,100). It is estimated that in 2001, up to 20 expert witnesses will be called to give expert testimony before the Tribunal. By bringing in language experts in the terminology of specialized areas, such as criminal law, international humanitarian law and the military, the Tribunal's Conference and Languages Support Section can ensure the highest quality of its services. Consultants are also requested for financial evaluation of accused persons for indigent status and for software consultancy related to the Reality procurement system.

Travel

51. The provision of $2,432,500 reflects an increase of $304,900, which is due mainly to the increased number of witnesses estimated in 2001. The amount would cover estimated requirements for the following:

(a) Official travel of staff ($472,500). Official travel of the Registrar and his/her staff for consultations at United Nations Headquarters; meetings with officials from Member States and national and international judicial organizations; press meetings; conferences; training; and periodic attendance in the field to execute technical and administrative policy ($99,000); travel of staff members of the Victims and Witnesses Section to coordinate arrangements for the support and protection of witnesses ($178,600); travel of Tribunal officials to facilitate judicial activities, such as videolink remote witness testimony for the courts, the inspection of detention facilities and the delivery of subpoenas and depositions, ($66,400); special interpretation for judges, the Prosecutor and investigation teams ($33,000); security officers providing protection to the Prosecutor and judges ($59,000); recruitment and language testing ($21,600); and escorting prisoners for long-term enforcement of sentences ($14,900);

(b) A provision of $1,960,000 is requested to cover travel and allowances of witnesses and witness support persons, dependent children and disabled adults, and the cost of accommodation and communications for witness assistants. It is anticipated that 670 witnesses and 134 persons will travel to The Hague in 2001 for the purposes of hearings and trials.

Contractual services

52. The total provision of $22,624,200 reflects an increase of $3,957,500, due mainly to the increased number of detainees requiring detention services and defence counsel, the utilization of an institutional contractor instead of individual contractors for French verbatim reporting and increased requirements in contractual translation to meet urgent trial and appeal activities. The increase is partially offset by the decreased requirements under other contractual services. The proposed amount consists of the following:

(a) Defence counsel ($14,800,000). Estimated requirements relate to the provision of counsel to suspects and accused persons in accordance with the directive on assignment of defence counsel and its subsequent amendments adopted by the judges of the Tribunal. Articles 18 and 21 of the Statute of the Tribunal entitle suspects and accused persons to the assistance of counsel of their own choice, and if they do not have sufficient means to retain counsel to have counsel assigned to them. Since January 1999, defendants have been entitled to only two investigators at the same time and appellants have been assigned only one counsel, other than in exceptional circumstances. In July 1999, the directive was amended to allow the Registry to pay for part of the defence of accused persons, who can avail themselves of the limited funds. Defence costs for an indigent defendant vary significantly depending on whether the accused person is in the pre-trial or trial stage of the procedure. Although the costs have been slightly reduced by various measures, the defence of an accused person during trial still costs a maximum of $55,000 per month. The cost of a defence preparing for trial is lower, estimated at a maximum of $30,000, as defence attorneys are now experienced and take a more active approach to their tasks. The cost for a defence team in appeals proceedings is limited, by the

directive and various parameters set by the Registrar, to a maximum of $25,000. The provision is calculated on the basis of 50 indicted persons in detention;

(b) Detainee services ($3,960,300). The provision includes services for detainees, such as accommodation, meals and guards. The agreement with the Government of the Netherlands, in effect in 2000 did not cover the rental of the cells themselves, which was listed separately in the rental of premises section of the 2000 budget. During 1999, when the number of detainees increased beyond the capacity of 36 cells, a fourth block of 12 cells was acquired by the Tribunal, along with the related services and guards. The fourth block is located in a separate building from the other three blocks of 12, which are housed in a building leased by the Tribunal within Scheveningen Prison. During 2001, the Tribunal plans to relocate the three blocks of 12 to the new building. This will result in the Tribunal retaining two floors, each with a block of 12 cells and a block of 20 cells, for a total of 64 cells. This change will enable the Tribunal to accommodate in one location a total of 50 detainees expected in 2001, at a cost of $3,838,800. In addition to the above agreement, two further agreements exist, with the Government of Austria for one detention guard and with the Government of Denmark for three detention guards. The provision of the four guards totals $121,500;

(c) Contractual translation ($420,000). The provision relates to translations that cannot be covered in-house, such as non-confidential documents submitted in a language other than the working languages of the Tribunal (e.g., German, Dutch, Russian, Swedish or Norwegian). In addition, in order to reduce the translation backlog, the Tribunal often outsources the translation of non-confidential documents of lower priority, such as books or articles;

(d) Verbatim reporting ($2,370,500). This provision, previously reflected under temporary assistance, relates to the hiring of verbatim reporters for court sessions and hearings in English ($751,700) and French ($1,618,800). During 2000 the Tribunal changed the method of court reporting in French. Previously this requirement was arranged through the services of individual contractors. It is now provided by a commercial verbatim reporting company. Court reporting in English is also provided through commercial contracts. The provision for English verbatim reporting in 2001 is based on the use of three teams of reporters for 184 court days for each. In addition, one team of reporters would be required for nine days during plenary sessions. The total requirement is therefore for 561 days, at an average of $1,340 per team per day inclusive of attendance fees, subsistence costs, accommodation costs and return airfare once a month ($751,700). These costs are based on rates established with the incumbent vendor in 2000. As the French court reporting is carried out off-site, the basis of estimation is different, and is based on a "per word" criterion, at a cost of $80 per thousand words for an estimated 35,000 words a day, plus a lump-sum charge for technical support. For 561 days this works out at $1,618,800, including $48,000 for technical support;

(e) Security training ($205,800). In addition to training courses for new officers, recertification courses for existing officers are essential since the standards of performance for all officers must be maintained. Courses include training in basic fire and evacuation procedures, explosive detection, defensive driving and first aid. As a host-country requirement, breathing apparatus for fire evacuation is mandatory when detention cells are on the premises. Since the Tribunal has 14 cells on the

premises, an ongoing programme of certification/recertification courses for all officers in the use of breathing apparatuses must be maintained;

(f) Technical training ($110,700). The provision is to train the personnel in the Electronic Support and Communications Section in recent advances in technologies and processes in their fields. The provision would also cover the cost of sending Tribunal personnel to training seminars in the areas of courtroom operations, computer operations support, application development and building services support;

(g) Management, supervisory and general training ($152,000). The Tribunal would undertake a programme of training to improve the administrative and managerial skills of personnel throughout the three organs of the Tribunal ($92,000). In order to carry this out a series of on-site courses relating to the management of people, interpersonal communication, supervisory skills and leadership would be undertaken in 2001. In addition, in an attempt to enable personnel throughout the organization to understand the large volume of information in the languages of the former Yugoslavia and official languages of the Tribunal, it is proposed that a series of language-training courses be initiated in Bosnian/Croatian/Serbian, English and French ($60,000);

(h) External printing ($56,600). A provision is requested for external printing for the annual report and *Yearbook* ($15,000), an information leaflet and brochures on the Tribunal ($15,500) and the printing of prepaid envelopes, letterhead and folders ($14,100);

(i) Data processing services ($241,400). The Tribunal has relied heavily on legal research materials made available rapidly via the Lexis-Nexis online legal database service. For 2001, provision is made for 12 months of coverage at $20,000 per month, totalling $240,000 for the year. In addition, $1,400 in provider fees would be required in order to use the Internet for research purposes;

(j) News agency services ($32,400). In order to be kept informed of the developing situation in the former Yugoslavia and other places, the Tribunal has relied on wire-service news feeds from Agence France-Presse and the Associated Press. Funding is requested for continuing service in 2001;

(k) Photovisual materials ($132,500). A provision of $132,500 is requested to support the current level of activities and the projected increase in trial activities in 2001. These photovisual services include the copying of maps, evidence material and photographs outside the Tribunal. The provisions were included in external printing in the 2000 budget;

(l) Forensic analysis ($100,000). A provision is made for forensic analysis and examination of exhibits. The type of analysis and examinations is varied, including DNA testing, the examination of bullet casings, weapons, and fibers, blood analysis and handwriting analysis;

(m) Decontamination services ($12,000). The provision relates to the decontamination of evidence, which allows items to be stored without further contamination. Part of the work of the Investigations Division entails the gathering of evidence from mass grave sites and various archival facilities in the mission area, and the collection of buried material for later presentation in court. This evidence

includes both organic and non-organic materials, which require special conservation treatment and safe storage in order to preserve its evidentiary value;

(n) External audit ($30,000). The provision is made in connection with the audit of the Tribunal in 2001.

Official hospitality

53. An amount of $4,000 is requested for official functions and hospitality.

General operating expenses

54. The provision of $8,870,600 reflects an increase of $690,200 over the 2000 appropriation. The major increases are for rental and maintenance-related costs for additional office space, communications in support of the field investigation activities and the new staff, medical costs for the increased number of detainees and the increased requirements for witness protection and relocation. The increase is partially offset by a decrease related to the rental of premises for the detention facility included in contractual services for 2001. The breakdown is as follows:

(a) Rental of premises ($3,433,300). This reflects an increase of $114,800, due mainly to the provisions for additional office space and increased requirements in field offices, partly offset by the revised rental agreement for the detention facility, as specified below:

(i) Headquarters building ($1,966,300): in 2001, the Tribunal will continue to lease the entire building, approximately 19,529 square metres of office and courtroom space (net), as well as an underground parking facility that can accommodate 335 vehicles. The total rent includes the repayment, due in 2001, for construction costs paid by the landlord in 1995;

(ii) Headquarters administration building ($667,200): the Tribunal will continue to lease the building, consisting of 5,304 square meters, which accommodates its Administrative Support Division. The rent also includes the repayment of construction work;

(iii) Additional office space ($581,000): the Tribunal plans to acquire additional office space in 2001 in anticipation of the additional new staff and those under temporary assistance for 2001. The Tribunal will require the use of an approximately 8,000 square-meter building in The Hague. The rental cost for such a building for a period of six months in 2001 is estimated at $581,000;

(iv) Field offices ($87,700): the Tribunal has five field offices, in Zagreb, Sarajevo, Skopje, Pristina and Banja Luka. It is expected to reopen the Belgrade office in 2001. With the exception of the Skopje office, all other field offices are currently located in offices of United Nations peacekeeping missions. The provision is for leases for the Skopje and Belgrade offices;

(v) Forensics project (Bosnia and Herzegovina) ($66,300): the Tribunal currently rents a mortuary facility in Visoko, near Sarajevo, for the purpose of autopsy and forensic examination of human remains. The use of this facility will be required for nine months in 2001 at $7,367 per month;

(vi) Transit house ($64,800): owing to the lack of acceptable and short-term accommodation in Pristina, the Tribunal leases a 10-bedroom house for this purpose;

(b) Maintenance of premises ($1,274,100). A net decrease of $97,600 is anticipated because of the one-time cost of recarpeting in 2000, partially offset by increased requirements related to the additional office space for 2001, as follows:

(i) Cleaning of premises ($392,700): the Tribunal is responsible for cleaning costs for the headquarters buildings ($275,200), additional office space in The Hague ($48,600) and field offices ($68,900);

(ii) Utilities ($470,900): estimated costs of electricity, gas, water and heating are $368,400 and $60,400 for the headquarters buildings and the additional office space, respectively. A provision of $42,100 for utilities is required for the field offices and exhumation facilities;

(iii) Services for maintenance of premises ($344,700): the provision would cover building maintenance services, estimated at $259,200 for the headquarters buildings, $55,900 for the proposed new office building and $29,600 for field offices;

(iv) Supplies for maintenance of premises ($65,800): the Tribunal continues to be responsible for daily operations and maintenance, including replacing broken light bulbs and clogged filters and repairing leaks, damaged floors and walls and electrical equipment. For these purposes, the Tribunal must store a quantity of lamps, bulbs, cable, switchgear, breakers, filters, fasteners, etc. The cost of these materials is estimated at $38,400 for electrical supplies, $11,200 for air-conditioning supplies and $16,200 for general building supplies;

(c) Rental of office equipment ($433,900). The provision for rental of office equipment, mainly photocopiers, is based on the production of approximately 13,500,000 copies. Photocopy machines are distributed in various offices of the Tribunal, including one high-volume, multifunction copier installed in the central reproduction room and a colour copier. In addition, provision of $25,000 is required for copying services for field offices, including reimbursements to UNMIBH;

(d) Rental of vehicles ($66,900). An amount of $12,000 is requested for the provision of taxi services for the transportation of witnesses outside normal working hours. In addition, provision of $4,000 is required for the leasing of backhoes and bulldozers at exhumation sites. A shuttle bus service between the buildings, upon leasing of the third office building in The Hague, is also proposed, at a cost of $50,900 for six months in 2001;

(e) Commercial communications ($1,082,000). An amount of $663,400 is requested for local, inter-local, fixed-to-mobile, long distance, pager, radio licence and cellular usage charges for The Hague, taking into account the expected volume discount. INMARSAT usage and subscription charges for 22 terminals are estimated at $99,800. Provision of $134,400 is requested for INTELSAT transponder costs in support of the Tribunal VSAT network in the former Yugoslavia. INMARSAT is mainly used during deployment of personnel in investigations in the former Yugoslavia, and INTELSAT is used for communications between The Hague and field offices. The sum of $32,200 is required to fund the Tribunal's Internet service provider connection for consolidated Internet access. To support the cost of

commercial communications related to field operations, in Belgrade, Sarajevo, Zagreb, Visoko, Skopje and Kosovo, $152,200 is requested;

(f) Maintenance of communications equipment ($104,400). An amount of $40,800 is required for the maintenance agreement for the Alcatel 4400 PBX in the headquarters buildings. To support over 750 Motorola products, specifically the Motorola crypto facsimiles and telephones, $14,400 is requested for a Motorola service contract. The amount of $9,600 is needed to extend the facsimile/portable copier maintenance contract; $3,600 is required to support the repair and maintenance of the Tribunal's mobile telephones; $12,000 is requested for telephone re-wiring in the Tribunal's main building. To support the overall repair and maintenance programme, the amount of $24,000 is requested for electronic, fibre-optic, ISDN and telephone tools and test equipment required to support new technologies implemented and being implemented by the Tribunal;

(g) Communications supplies ($82,700). A total provision of $82,700 is requested for communications supplies to cover the purchase of toner cartridges for facsimile machines ($67,900), batteries for pagers ($2,800) and consumable workshop supplies ($12,000);

(h) Postage ($75,000). Provision of $75,000 is requested for postage services, including supplies. The Tribunal uses national, international and bulk mail services as well as courier services worldwide for mail operations for procurement activities, distribution of court documents such as judgements and decisions, press and information distribution, routine correspondence between investigations, witnesses, the mailing of yearbooks, etc. It is expected that distribution of press and information material will increase in 2001. In addition, funds are required for the international answer number, the post office box number, electronic scales and the franking machine;

(i) Pouch ($60,000). Owing to the sensitive nature of certain documents located in the former Yugoslavia and required by the Tribunal, a pouch service has been implemented between the Tribunal headquarters and its field offices in the former Yugoslavia. The provision includes pouch services ($45,000) and special courier service ($15,000). The courier services are mainly for the delivery of arrest warrants, judgements, decisions, judicial documentation, photographs, evidence, witness statements, procurement documents and other special dispatches where certified receipt is required. The Tribunal has a strict policy of minimizing and controlling the use of courier services;

(j) Maintenance of office equipment ($9,600). This provision is requested for the repair of general office furniture and equipment. This includes maintenance contracts for the franking machine, photocopiers in Sarajevo and Skopje offices and large-capacity shredders;

(k) Maintenance of vehicles ($288,100). A provision of $273,600, based on the standard formula of the Field Administration and Logistics Division of the United Nations Secretariat, is requested for the repair and maintenance of vehicles. The amount of $4,100 is required to cover membership fees to ensure assistance in case of motor vehicle breakdown within Europe and the cost of washing and cleaning of vehicles located at The Hague. In addition, $10,400 is required for the annual maintenance and routine repair of 13 trailers/load platforms, including brakes, axle seals, wheel bearings and replacement of tyres;

(l) Maintenance of data-processing equipment ($216,900). An amount of $216,900 is requested for software support contracts ($159,600); support contracts for servers and network equipment ($32,700); and for computer, laptops, printers and scanners ($24,600);

(m) Maintenance of audio-visual equipment ($37,500). Provision of $37,500 is made under this heading to cover the cost of spare parts for video equipment, minor electrical supplies, and consumable workshop supplies ($7,500) and to cover maintenance contracts for proprietary equipment in the three Courtrooms ($30,000);

(n) Maintenance of miscellaneous equipment ($47,800). Provision is requested to cover annual maintenance contracts for security and safety equipment ($33,600), exhumation equipment ($8,900) and generators in the field ($5,300);

(o) Freight and cartage ($11,700). Provision is requested to cover the cost of organizational shipments between the Tribunal and the field offices in the former Yugoslavia. Shipments would cover transportation of miscellaneous supplies and equipment. It is expected that such shipments will increase in 2001 owing to the reopening of the Belgrade office;

(p) Insurance ($170,100). The provision, reflecting a decrease of $127,400 due to the completion of exhumations in Kosovo, is requested for insurance premiums for third-party liability insurance ($67,500), vehicle insurances at headquarters ($16,700) and in the field ($78,000) and travel insurance for witnesses ($7,900);

(q) Bank charges ($90,000). Provision is requested to cover bank charges in 2001;

(r) Claims and medical services for detainees ($231,900). Provision is requested to cover medical ($100,000) and psychiatric ($54,400) care for an average of 50 indigent detainees, including specialist care, dental care and optical services. Basic medical care for detainees is covered by the agreement between the Government of the Netherlands and the Tribunal as a part of detainee services; however, this does not cover long-term medicines or specialist care. The provision for medical services is calculated on the basis of $2,000 per detainee per annum. In addition, a psychiatrist and a psychologist regularly assist the Registry in its responsibility for the well-being of the detainees. The provision for psychiatric care is based on the services of these specialists for 40 hours per month each. In accordance with rule 82 of the Tribunal's Rules of Detention, indigent detainees are paid an allowance of 5 Netherlands guilder (f.) per day. For 2001, the provision of $37,000 is requested on the basis of an average of 50 detainees. Rule 73 of the Rules of Detention provides that detainees who enrol in a work programme instituted by the commanding officer of the Detention Unit are paid for work done at a rate of f. 1 per hour. For 2001, a provision of $45,000 is requested for this payment;

(s) Claims and services for witnesses ($865,300). The requirements reflect the increased number of witnesses, as well as the increased relocation costs for witnesses. For 2001, a provision of $300,000 is made for assistance to threatened potential witnesses during the pre-trial stage. The provision of $865,300 comprises the following:

(i) Loss of earnings for witnesses ($72,000): the Tribunal is required to indemnify qualifying witnesses for loss of earnings during the period they are

attending the Tribunal. Strict criteria are placed on the eligibility of witnesses for the losses, which apply only to witnesses themselves and not to dependants or accompanying persons. As a result of the criteria, approximately 40 per cent of witnesses are eligible for reimbursement for lost earnings;

(ii) Medical and psychiatric examinations of witnesses ordered by the court ($3,300): during trials, the Trial Chamber, upon testimony by a witness of permanent injury or scarring, orders a medical examination of the witness in order to accept the evidence of the injury. It is anticipated that 10 per cent of witnesses may be required to undergo an examination. The provision is based on f.120 per examination;

(iii) Relocation costs for witnesses and their families ($790,000): the requirements reflect costs of relocation for witnesses. The Tribunal is also responsible for the protection of witnesses, including relocation of witnesses and their families, if necessary, pursuant to article 22 of the Statute and rule 34 and 39 of the Rules of Evidence and Procedure. The Victims and Witnesses Section, in conjunction with the Office of the Registrar, has negotiated with Governments on the matter of relocation of essential witnesses who are in need of protection. Some States that have agreements with the Tribunal accept such witnesses within their existing refugee programmes at no cost to the Tribunal. There are two areas, however, in which the Tribunal could incur costs. In urgent circumstances, it may be necessary to make provisional arrangements for the immediate removal of a witness family and temporarily accommodate it until a more permanent arrangement can be made. The estimated costs are $30,000 per family for 10 weeks. Given the greater prominence of the accused persons, it is anticipated that 15 such relocations may occur during 2001, including the witnesses, making a total requirement of $450,000. The second area of cost could occur when a family requires relocation within the territories of the former Yugoslavia. The Tribunal is not able to negotiate with those Governments for cost-free relocation in the way that it has been able to do with refugee-receiving countries. The cost of relocation under those circumstances will be approximately $40,000 based on five cases. The period of stay of witnesses in The Hague while awaiting relocation increased significantly during 1999 and 2000. This is primarily due to the increasing demand from the Office of the Prosecutor to the Victim and Witnesses Section under rule 39 for assistance to threatened potential witnesses arising from the Kosovo investigations. The Office of the Prosecutor anticipates requesting protection for 10 witnesses and their families during 2001. The cost of these protective relocations for pre-trial witnesses parallels that of trial witnesses mentioned above, totalling $300,000;

(t) Cleaning of clothing and uniforms ($89,600). Provision is requested for the cleaning of security officers' uniforms, detention officers' uniforms, detainees' clothing, judges' court robes and bibs and drivers' uniforms;

(u) Demining services ($127,100). Provision is required for demining services in Bosnia and Herzegovina to facilitate the exhumation programme. The demining of exhumation sites is based on a seven-month working season. In addition, the service provider would be on call when required for the disposal of explosive ordnance at the sites;

(v) Other miscellaneous services ($72,700). A provision of $62,700 is requested for miscellaneous services not covered above, including car parking permits for the Tribunal's official vehicles ($5,500), tailoring services for the repair and alteration of judicial robes and jabots during 2001 ($2,000), securing cash delivery services ($5,200), storage and preservation of specialized plant equipment ($10,000) and office removal expenses to relocate staff to the new building and renovate the space vacated in the main building ($50,000).

Major construction, alterations of premises

55. The Tribunal proposes to undertake a number of projects during 2001 to ensure the maintenance of building safety standards and the functioning of equipment. The provision of $804,400 includes installation of air-conditioning in the basement ($98,200), the setting up of a video editing room ($10,800), the replacement of the security closed circuit television system ($366,400), the creation of an interview room ($26,700), the installation of an additional turnstile gate ($46,600), the upgrading of the support of the satellite communications dish ($10,100) and the remodelling of the main and administration buildings ($245,600). These projects are described below:

(a) Air-conditioning in the basement ($98,200). Currently a number of basement offices in the Tribunal's main building are without air-conditioning or airflow. In order to maximize available existing space, provision is required for the installation of 35 x 3,2 kW air-conditioning units;

(b) Video editing room ($10,800). Provision is required to upgrade the existing audio-visual storage room in the Tribunal's main building to a video editing room. This room would be used extensively for video editing purposes;

(c) Security closed circuit television system ($366,400). The provision is made for the replacement and upgrading of the existing security closed circuit television system and the Security Control Centre to record any breach of security. The existing installation is an obsolete monochrome analogue time-lapse video-recording system, which has considerable downtime and requires constant repairs;

(d) Interview room ($26,700). There is a need for a secure interview room within the main Tribunal premises. This interview room needs to be behind the "hard line" of the secure route in order to have the detainee under interview held in secure conditions and to prevent any interaction with staff going about their normal daily duties. It is proposed that cell 1 in the basement be turned into a secure interview room;

(e) Front turnstile gate ($46,600). The increase in the number of staff has placed considerable strain on the front gate security post. The traffic of people entering and leaving the front gate is causing difficulties for security officers to determine who is leaving and who still requires screening before entering the building. The installation of an additional turnstile on the fence line is considered the most effective solution for dealing with blockages in traffic;

(f) Upgrading the support for the satellite communications dish ($10,100). In order to support the satellite communications links related to the expansion of the Tribunal's field activities, it has become necessary to upgrade The Hague satellite communications earth station. The upgrade would support all satellite

communications links to the field and allow for videoconferencing. Engineering design and manufacturing of the base of the satellite dish is required;

(g) Remodelling of the main and administration buildings ($245,600). After the acquisition of a third building in The Hague and it has been occupied, it will be necessary to remodel the space vacated in the two existing buildings by the deconstruction, movement and reconstruction of walls and the relocation of electrical, voice and data cabling.

Supplies and materials

56. Requirements of $1,244,400 under this heading consist of office supplies ($219,900), data-processing supplies ($147,500), photocopying supplies ($120,000), subscriptions to legal and other technical journals ($36,000), audio-visual supplies ($187,700), uniforms ($178,000), petrol, oil and lubricants ($148,500), library books ($75,000), forensic supplies ($90,200) and miscellaneous supplies ($41,600). Increased requirements in the area of office supplies, data-processing supplies, photocopy paper and audio-visual supplies for 2001 reflect the expected increase in court activities. The increased requirements are partially offset by the decreased requirements in forensic supplies and petrol, oil and lubricants brought about by the completion of the exhumation programmes in Kosovo.

Furniture and equipment

57. Requirements under this heading ($4,397,000) represent an increase of $1,708,800. The significant increases are for furniture and fixtures, electronic data-processing equipment, software and communication equipment, mainly for the proposed third office building in The Hague, totalling $1,457,900; replacement of office and conference chairs ($296,400); and upgrading of office software applications ($202,300). The increase in these areas is partially offset by the decreased requirements under vehicles and audio-visual equipment. The provision consists of the following:

(a) Acquisition of furniture and fixtures ($622,600). The provision includes replacement of 1,140 conference and office chairs provided by the landlord when the Tribunal first occupied the building ($296,400), furniture for new staff and the increased number of staff under general temporary assistance ($275,400), name plates and directory boards for new office space ($24,800), furniture for a nurses station ($15,000) and a trolley, ladders and storage units ($11,000);

(b) Acquisition of office equipment ($44,700). This includes the purchase of two additional industrial type shredders for the new office building ($41,000), and document safes ($3,300);

(c) Acquisition of data-processing equipment ($1,922,800). The provision is requested for additional data-processing equipment related to the new office building ($964,700), new and replacement of desktop computers, laptop computers and printers ($480,700), network equipment ($423,300) and other specialized hardware requirements ($54,100), as follows:

(i) Equipment is required for a secure and high-capacity electronic link to the third building, which includes high bandwidth fibre optic inter-building link ($120,000) supported by a link encryption system ($270,000) allowing full confidentiality of the traffic transmitted over the link, including a cabling

system, comprising an internal cabling infrastructure system ($150,000), hubs ($30,000), data switches ($85,700), racks and patch panels ($45,000), patch cables ($4,000), LAN metering equipment ($20,000) and payload encryption ($240,000);

(ii) The Tribunal plans to replace 140 computers and 24 printers ($243,200). In addition, 90 computers and 5 printers would be required for new staff and staff under general temporary assistance ($144,000 and $26,000, respectively). A provision of $54,000 is made for 20 laptop computers to be used for the Investigations Division, the Victims and Witnesses Section, the Archiving and Records Management Unit and the courtrooms. In addition, five laptop computers with portable printers would be replaced in 2001 ($13,500);

(iii) Network equipment includes LAN infrastructure upgrades for the Office of the Prosecutor ($111,700) and for the Registry ($60,000), replacement of four servers ($146,000) and upgrades of various servers ($105,600) in order to handle the expected significant increase in information material, particularly in the Office of the Prosecutor, in 2001;

(iv) Specialized hardware acquisitions include 27 scanners to be used in the Office of the Prosecutor, the Archiving and Records Management Unit, the Public Information Services and the Chambers ($40,500). The Tribunal also plans to replace the current password-based login verification into biometric authentification for about 100 users ($13,600);

(d) Acquisition of software packages ($596,200). The provision includes upgrades of office software to Windows 2000 ($202,300), procurement software ($99,000), building management software ($60,000), data security software ($65,000), language support software ($80,000), anti-virus software ($15,300), data-encryption software ($5,000), data security audit software ($18,400) and various software upgrades ($51,200);

(e) Acquisition of vehicles ($140,000). The provision includes replacement of four vehicles that are no longer economically viable ($101,000) and the acquisition of one light bus ($25,000) to transport witnesses in The Hague and, one utility vehicle ($14,000) to facilitate the movement of building management and electronic support staff between three buildings in The Hague;

(f) Acquisition of communication equipment ($570,900). Provision is requested for the acquisition of communications equipment for the new office building ($244,200), satellite communication equipment ($81,000), telephone equipment ($116,300) and two-way radio equipment ($129,400). Communications equipment for the new office building includes a radio station and repeaters ($17,000), PABX equipment ($120,000), fibre-optic cabling ($106,000) and telephones in common areas ($1,200). Telephone equipment consists of telephones for new staff ($14,800), mobile telephones and facsimile machines ($11,500), replacement of two secure facsimile machines ($24,000), additional secure telephones used by the Office of the Prosecutor ($36,000) and telephone voice hubs for field offices ($30,000). Radio equipment includes radio towers and antennae for field investigations ($90,200), replacement of 6 UHF vehicle radios ($18,000) and replacement of 53 handheld radios ($21,200);

(g) Acquisition of audio-visual equipment ($303,300). The provision is for the replacement and upgrading of courtroom audio-visual hardware and software

($113,500) in order to ensure the required high standard of audio-visual services in the courtrooms, the extension of the audio-visual distribution system ($62,300) into the new office building and miscellaneous audio-visual programmes outside the courtrooms for use by the Public Information Services ($39,900), conference room staff ($26,400) and the Office of the Prosecutor ($61,200);

(h) Acquisition of security and safety equipment ($165,000). The provision is for equipment related to the new office building, including two X-ray screening machines ($106,500), and other safety and security equipment related to the existing operations ($58,500) including weapons for new security officers and ammunition and other security and safety equipment;

(i) Acquisition of miscellaneous equipment ($31,500). Provision is required by the Reprographic Unit and Building Management Unit for miscellaneous equipment and tools.

Staff assessment

58. Staff assessment for the proposed staffing table for the Registry totals $5,966,900.

Income

59. The expected income for 2001 ($77,200) includes income from rental of office space ($5,200) and income from garage operations ($72,000).

III. Conclusion

60. **On the basis of the proposals set out in the present report, it is estimated that resources in the amount of $112,464,300 gross ($100,180,800 net) will be required for the operation of the International Tribunal for the Former Yugoslavia in 2001. An additional amount of $12,206,300 would be required for staff assessment, to be offset by income from staff assessment of the same amount.**

61. **In 1999, the Tribunal recorded an unencumbered balance of $14,073,600 gross ($13,614,300 net). Of the unencumbered balance, the amount of $8,200,000 was already taken into account in the financing of the 2000 budget, in accordance with General Assembly resolution 54/239 A of 23 December 1999, to be utilized in the financing of the Tribunal's activities for 2000. Should the Member States wish to take into account the unencumbered balance for 1999 for financing of the activities of the Tribunal for the year 2001, the residual balance of $5,873,600 gross ($5,414,300 net) may be deducted from the estimated resource requirements of $112,464,300 gross ($100,180,800 net). In addition, the interest and miscellaneous income of $3,412,000 for the biennium 1998-1999 was reported in the financial report and audited financial statements (A/55/5/Add.12), which could be taken into account in the financing of the 2001 Tribunal's budget. Member States may also wish to deduct the estimated unencumbered balance for the year 2000 ($2,500,000 gross, $2,227,000 net). The calculations for financing the Tribunal in 2001 are shown in annex X.**

62. **By its resolutions 54/239 A and B, the General Assembly decided to assess 50 per cent of the total amount of the resource requirements of the Tribunal for**

1999 at the rates applicable to the regular budget and the balance at the assessment rates applicable to peacekeeping operations. As set out in annex X, apportionment of the proposed amount of $100,601,500 gross ($89,127,500 net), after taking into account the unused unencumbered balances of 1999, the interest and miscellaneous income for the biennium 1998-1999, and the estimated unencumbered balance for 2000, if so decided by the General Assembly, would be as follows:

(a) $50,300,750 gross ($44,563,750 net) to be assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2001;

(b) $50,300,750 gross ($44,563,750 net) to be assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations for the year 2001.

63. It may be noted that these budget proposals, if calculated on a full-cost basis (using a 5 per cent vacancy factor for all posts), would require an additional provision of $5,454,700 gross ($4,440,700 net) in the next fiscal year. On that basis, the appropriation for a full-cost budget for the Tribunal, using the proposed 2001 staffing table, would amount to $117,919,000 gross ($104,621,500 net).

Annex I

Budgetary assumptions

1. The proposed revised budget estimates assume the United Nations operational rate of exchange of $1:f. 2.47. The post adjustment multiplier used for The Hague in 2000 is 4.6.

2. The overall budgetary estimates of expenditure for the assessed budget are prepared on the basis of gross salary scales. However, the individual submissions by main organizational units of the budget reflect net salary scales (i.e., gross salary less the applicable staff assessment), which allows budgetary comparability with other organizations of the United Nations system. In order to reflect gross expenditure levels and the difference between gross and net emoluments, staff assessment is shown as a separate item in all expenditure tables. The offset amount is shown under the income section of the budget.

3. With regard to vacancy rates, a rate of 60 per cent for the Professional category and above and 50 per cent for the General Service and related categories, is used for new temporary posts for 2001. For existing temporary posts, a rate of 5 per cent is used for staff in both the Professional and General Service categories.

Annex II

Justification for new, reclassified and redeployed posts

A. The Office of the Prosecutor

Immediate Office of the Prosecutor

1. The immediate Office of the Prosecutor is composed of three parts: a secretariat, the International Criminal Tribunal for Rwanda Support Section and the Appeals Unit.

Appeals Unit

2. The counsel in the Appeals Unit are responsible for the preparation of appeal briefs for the Tribunal and presentation of appeals before the Appeals Chamber. In addition to responding to substantive appeals that are presented at the end of each case, the Appeals Unit is responsible for the preparation of appeals lodged on behalf of the Prosecutor. In every appeal, whether interlocutory or substantive, the Prosecutor is a necessary party and the documentation required and prescribed filings must be attended to within time periods specified by the rules or as ordered by the Appeals Chamber.

3. The workload of the Appeals Unit has increased substantially. In 2000, the Appeals Unit will deal with 10 appeals for both Tribunals, three of which will probably carry over into 2001. One of those appeals involved multiple defendants and thousands of pages of material that had to be reviewed and hundreds of pages of briefs that had to be drafted. It is expected that for 2001 there will be 10 appeals involving 25 defendants for the International Tribunal for the Former Yugoslavia and 6 appeals involving 14 defendants for the International Criminal Tribunal for Rwanda. With such an increase and given the degree of research and preparation necessary for each appeal, it is apparent that the existing staff cannot handle the workload.

New posts: 1 P-3, 1 P-2; redeployed post: 1 P-4; transferred post: 1 P-5

4. The current post establishment of the Appeals Unit is six Professional posts: two senior appeals counsel (P-5), two legal officers (P-4), two legal officers (P-3) and one secretary. One senior appeals counsel (P-5) and two legal officers (1 P-4 and 1 P-3) work on the appeals of the International Tribunal for the Former Yugoslavia and one senior appeals counsel (P-5) and two legal officers (1 P-4 and 1 P-3) work on appeals of the International Criminal Tribunal for Rwanda.

5. A primary objective of the Prosecutor is to maintain an independent and detached consideration of the matters arising in keeping with her responsibilities to act impartially. In attending to appeals, it is necessary to have counsel who are free to appear in court and who do not have trial or trial preparation duties. It is neither desirable nor practical for counsel attending to trials to be assigned to appear in the appeals. Apart from anything else, special skills are required for appeals work and, from a pragmatic viewpoint, case preparation and appearance in the Appeals Chamber would clash with appearances in the Trial Chambers. In attending to the preparation of appeal briefs, whether by way of initial filings or by way of response to matters raised by accused persons, it is necessary to meet with, consult and

interview officers who have dealt with the trial issues. It is also necessary to monitor the progress of trial cases so that at the conclusion of a case, if an appeal is lodged, officers in the Appeals Unit are conversant with the history and progress of the case. An appeal is, in a way, a continuation of the proceedings, yet the issues that arise may differ from those that arose during trial. More importantly, the determination of any appeal represents the end of the proceedings, in other words the final determination of the facts and the law. Therefore it is necessary to view the material available to the Appeals Chamber from a different and independent perspective.

6. Taking all these matters into account, two additional legal positions are required in the Appeals Unit. One position would be filled by an officer experienced in appeals work (P-3), who could assist with the preparation and drafting of motions, the collection of documents and other material and the formatting of appeal briefs and generally assist in court. A second position would be filled by a junior lawyer (P-2) who would attend to the more routine legal matters arising in the preparation of all prosecution appeals and responses to appeals, such as formatting briefs, ensuring compliance with orders and directives of the Appeals Chamber and maintaining contacts with the Defence Counsel and the Registry.

7. By mid-2000, the Appeals Unit had undertaken six appeals for the International Tribunal for the Former Yugoslavia (Furundzija, Celebici, Aleksovski, Kupreskic, Jelesic and Blaskic) and six appeals for the International Criminal Tribunal for Rwanda (Kayishema/Ruzindana, Rutaganda, Akayesu, Musema, Kambanda and Serushago). In addition, the Unit prepared a major interlocutory appeal (Barayagwiza). In order to meet filing deadlines, one P-4 post was redeployed to the Unit from the Legal Advisory Section. It is proposed that this redeployment be continued in 2001. This brings the current staffing complement for the International Tribunal for the Former Yugoslavia appeals to two legal officers (P-4).

8. It is proposed to transfer one appeals counsel (P-5), who currently handles the International Criminal Tribunal for Rwanda appeals, from The Hague to Arusha to manage the increased number of appeals derived from the cases in the Rwanda Tribunal. The Prosecutor intends to set up an Appeals Unit within the Rwanda Tribunal in Arusha, which would have one senior appeals counsel (P-5) (transferred from The Hague), one new appeal legal adviser (P-4), one existing appeal legal adviser (P-3) and one new legal officer (P-2). The existing P-3 and P-4 posts in The Hague currently dealing with appeals related to the Rwanda Tribunal would remain there for liaison purposes and to ensure consistency of jurisprudence within the Office of the Prosecutor and to appraise the Prosecutor on the progress of Rwanda Tribunal appeals.

Prosecution Division

9. The Prosecution Division consists of the Office of the Chief of Prosecutions, the Trial Section, the Trial Support Unit, the Co-Counsel and Investigation Team Legal Advisers Section and the Legal Advisory Section. The Division is seeking an additional trial team in order to keep up with the pace of trials and arrests leading to pre-trial work. Currently, the Division has eight trial teams, giving it the ability to prosecute six trials concurrently and to prepare another two trials that can commence immediately following conclusion of a trial.

10. The Prosecution Division is having difficulty meeting its obligations owing to three factors: an increase in the rate of arrests, an increase from previous years in the number of court sessions and an increase in the number of high-level accused persons awaiting trial. Several of these trials, e.g., Krajisnik, Brdanin and Talic, and Galic, involve major political or military leaders, and are enormous in scope and complexity, thus putting heavy demands on resources in the Office of the Prosecutor. The current staffing for trial teams was based on a workload of six ongoing trials and two trials in preparation. At mid-June 2000, there were four ongoing trials and nine in preparation. At the same time in 1999, there were four ongoing trials and five in preparation. The increase in the number of arrests and transfers (12) in the latter half of 1999 and the first half of 2000, together with the higher level of responsibility of those accused, has had a significant effect on the workload. Some of those arrested could be included in existing cases, but from the group of 12, 7 new cases had to be opened and trial teams assigned. This meant that some attorneys have been assigned two or three cases. In past years, it was possible for a senior trial attorney to carry more than one case at a time. However, the change in the level of responsibility of the accused persons now makes it impossible for an attorney to carry more than one large, complex case at a time. This is particularly relevant since the Chambers have attempted to reduce the length of trials, by focusing more on the pre-trial phase, during which the trial teams are required to have cases ready for trial in shorter periods of time.

11. Of the 13 cases that are being either prosecuted or prepared, 5 are considered to be major cases given the high level of those accused, which involve more extensive searches of the databases for disclosure material to the defence and the involvement of senior trial attorneys in every step of the preparation. During the second half of 2000, it is estimated that three new cases will be opened. All of those cases will carry over into 2001.

12. The other major factor in the increased workload is that the number of court sessions has doubled. While the trial teams welcome the increase in court days, it means that a trial team is solely dedicated to one trial and cannot take on the preparation of another case at the same time.

Trial Section

13. A senior trial attorney (P-5) leads each of the eight trial teams. Each trial attorney is assisted by a trial team made up of two co-counsel (P-4), one legal officer (P-2), one case manager (General Service (Other level)) and one trial support assistant (General Service (Other level)). Three secretaries (General Service (Other level)) support the Section.

14. The Prosecutor delegates to the senior trial attorneys the responsibility for the conduct of each trial, in terms of the evidence to be led, the legal submissions to be made and the trial tactics to be employed during the trial. The senior trial attorney directs the trial team in gathering additional evidence to be introduced at the trial; identifies areas requiring legal research; decides in each trial what evidence, information and materials are to be supplied to the defence in compliance with the Prosecutor's disclosure obligations, and is responsible for settling final legal motions and written submissions. The senior trial attorney also directs the trial team's efforts in responding to the defence case and defence witnesses, which is

particularly difficult when the accused is not required to give much advance notice of the defence evidence to be called.

New posts: 1 P-5 and 1 P-3; reclassified posts: 8 P-2 to P-3

15. At mid-June 2000, the Office of the Prosecutor was actively engaged in 4 trials involving 11 accused persons and was preparing another 9 trials involving 15 accused, totalling 13 cases involving 26 accused. While the staffing of the Prosecution Division was adequate in 1999 to meet the pace of trials scheduled and the rate of arrests, the Division is now having difficulty keeping up with the workload.

16. It had been considered that P-2 legal officers were too inexperienced to be allowed to appear in court as advocates. However, over the years, it has become evident to the senior trial attorneys that all legal officers were capable, under supervision, of actively participating in the prosecution of cases by taking on advocacy responsibilities.

17. It was determined in 2000 that the eight P-2 legal officers in the Trial Section should be given higher level functions, in particular the opportunity to appear in court as advocates by examining and cross-examining witnesses and making certain arguments. This new function, which involves a major increase in the level of responsibility, has led to a request for the reclassification of eight P-2 posts to the P-3 level.

18. It is therefore proposed to establish posts for one P-5 senior trial attorney and one P-3 legal officer as part of an additional trial team in order to manage the increased number of trial cases.

Trial Support Unit

New posts: 3 General Service (Other level); redeployed post: 1 P-2

19. The Trial Support Unit is composed of eight case managers and eight trial support assistants (General Service (Other level)) who are assigned to trial teams for the duration of a trial and are then reassigned to a new trial. Within the context of each trial, the trial support staff is responsible, under the direction and supervision of the senior trial attorneys and co-counsel, for the preparations, searches of evidence and information holdings of the Office of the Prosecutor to identify relevant material for presentation in court or for disclosure to the defence (discovery), and other administrative activities necessary to ensure that prosecution cases can proceed efficiently and professionally.

20. Each case manager arranges witness-proofing schedules, ensures the delivery of disclosure material to the defence, ensures that motions and responses are filed within the time limits set by the Chambers and coordinates with the Victims and Witnesses Section regarding witness travel and availability.

21. Trial support assistants prepare the physical evidence and other relevant material for presentation in the Chambers; receive potential exhibits (physical, documentary, photographic and video) from the investigation team; and prepare and finalize exhibits for display in court, which includes the use of scanning equipment, electronic mapping and graphics systems.

22. Two new posts, one for a case manager and one for a trial support assistant (General Service (Other level)), are requested as part of the request for a new trial team.

23. One post for a trial support clerk (General Service (Other level)) is also proposed, to assist the case managers and trial support assistants in: assembling case-related documents, collating and preparing disclosure packages, maintaining disclosure logs, indexing and filing case materials, preparing and processing exhibits and performing other duties as required. With the current caseload of four trials in court and nine in preparation, the case managers and trial support assistants are no longer able to provide coverage to each other during peak periods.

24. The Trial Support Unit personnel are organized as a pool to ensure flexibility in assignments and to permit quick responses to urgent requirements, e.g., when an arrest is made. Without proper management of this unit, workloads can vary widely from one team to another, resulting in inefficient use of the existing personnel and thousands of hours of overtime. To ensure effective management of the Unit, a post (P-2) from the Investigation Division will be redeployed and reclassified as Chief of Unit.

Co-Counsel and Investigation Team Legal Advisers Section

25. This Section is comprised of 30 legal officers who serve as either co-counsel or team legal advisers depending on the status of their cases. The Section provides legal guidance, direction, advice and substantive legal work to the Investigation Division, prepares and reviews all indictments, and provides litigation support to the trial teams. The legal officers serve in either the Investigation Team Legal Advisers Unit, working with the investigation team leaders to provide legal guidance to the investigative teams, or in the Co-Counsel Unit, serving in the Trial Chambers on the prosecution trial teams. They also perform a variety of other duties, including drafting indictments, participating in indictment reviews, advising on legal issues that may have a general effect on the investigative and trial work of the Office of the Prosecutor, policy questions and many other matters. Often, an individual legal adviser may have responsibilities as both a Team Legal Adviser, in relation to a case in investigation, and a co-counsel, in another case in trial, at the same time.

New posts: 1 P-5, 2 P-4

26. As the Prosecution Division prepares for trials of far greater significance and complexity, and to meet a much heavier caseload, the demands on the Section become more extreme. Given the diversity and the complexity of the tasks, it is proposed to appoint a chief at the P-5 level, to provide management and direction for the legal officers in these two Units.

27. The Chief of the Section will report to the Chief of Prosecutions, and would be roughly equivalent, in the chain of command, to the Commanders (P-5), who supervises the team leaders (with whom the team legal advisers work) and their respective investigative teams, and who report to the Chief of Investigations. There is a heavy burden of administration and coordination that has to be carried out in relation to the diverse activities of the Section, with respect to investigative missions, indictment reviews, policy and legal matters and many other issues. In the past, in order to remedy an intolerable situation, the Prosecution Division had to assign a senior trial attorney to act as a chief of the Section. This has placed a strain

on the Office of the Prosecutor's ability to discharge its trial functions, to the point where it is no longer possible to maintain the acting chief in place. The proposed post of Chief would lead to better management of various tasks and resources in the Section.

28. In addition, two P-4 co-counsel posts are proposed as part of the request for a new trial team for the increased workload related to trials.

Investigation Division

29. The Investigation Division is the largest part of the Office of the Prosecutor and comprises the Office of the Chief of Investigations, 10 investigation teams, the Forensic Unit, the newly established Requests and Information Unit, the Leadership Research Team, the Military Analysis Team and field offices in Zagreb, Belgrade, Sarajevo, Banja Luka, Skopje and Pristina.

30. The Investigation Division undertakes criminal investigations leading to indictments against those responsible for serious violations of international humanitarian law. Investigation work is complex and involves not only investigators, but also military and criminal intelligence analysts, research officers, document analysts and forensic specialists. Investigations are carried out through the identification, location and interviewing of witnesses and, increasingly, through analysis of documentation seized under search warrants, together with forensic examination of crime scenes, including mass gravesites.

31. There is a notable shift in the nature of the activities of some of the investigations. With the emphasis on top leadership figures, the importance of analysing, rather than simply collecting, logging and translating, material is manifest. Up to now, the main activity of investigators was to collect evidence and information, be it through interviews with witnesses or through collection of documentation. As more and more documentation has become available, either through search and seizure operations or through cooperative arrangements with institutions and States, there is a natural shift of investigative emphasis to a proper and in-depth analysis of this material. Many critical questions relating to the de jure and de facto authority and actual activities of leadership figures remain to be answered and documented. As most of the documents are in Bosnian/Croatian/Serbian, analysts with language skills are sought by the investigation teams. This is a trend that will grow in future years.

Military Analysis Team

32. The Military Analysis Team comprises the senior analyst (P-4), four military intelligence analysts (P-3), three criminal analysts (P-3), one strategic criminal analyst (P-3) (redeployed), five criminal intelligence analysts (P-2), and one cartographic clerk (General Service (Other level)). Most of the crimes being investigated by the Prosecutor were committed within the context of the military conflict in the former Yugoslavia and hence it is essential to undertake specialized analyses of the military aspects of the conflict.

Redeployed post: 1 P-3

33. It is proposed that a post of investigation tracking analyst (P-3) be redeployed to Military Analysis Team as strategic criminal analyst. With the growth in the

Investigation Division, the main function of the investigation tracking analyst has been taken over by the commanders. In addition, in the restructuring exercise undertaken in 2000, the Chief of Investigations has streamlined all the units to rationalize the functions of each post. As part of that exercise it was determined that the need for criminal analysis was growing and that the tracking analyst post should be redeployed to the Military Analysis Team.

Criminal investigation teams

34. Prior to restructuring in 2000, there were 10 investigation teams within the Investigation Division, of which 9 were responsible for all criminal investigations conducted by the Prosecutor's Office related to the conflict in Bosnia and Herzegovina and Croatia. Each team was comprised of an investigation team leader (P-4), eight investigators (5 P-3, 3 P-2) and a criminal intelligence analyst (P-2). In addition to the nine teams, there was an investigation team for Kosovo, which was comprised of a team leader (P-4), eight investigators (5 P-3, 3 P-2) and two criminal intelligence analysts (P-2). A pool of 11 language assistants (General Service (Other level)) and a pool of 16 investigation assistants (General Service (Other level)) assist the investigation teams.

35. The team structures remain intact. The overall structure of the Investigation Division was reviewed in order to ensure that the Prosecutor's stated aim of completing the investigation mandate by the end of 2004 was met and that the subsequent prosecution work, was completed in the most effective and efficient way possible. To achieve those objectives, certain changes in the command structures of the teams were made. Factors taken into consideration in making the changes included proposals for investigations aimed at those in leadership positions of various political organizations, military and paramilitary groups and police forces, together with notorious offenders in each of the municipalities where a high degree of victimization had occurred. The result was the creation within the Division of four command groups, each headed by a commander.

36. Command Group One includes four investigation teams and the Sarajevo and Banja Luka field offices. Command Group Two includes three teams and the Skopje and Pristina offices. Command Group Three includes two teams and the Zagreb field office. Command Group Four includes one investigation team, the newly formed Requests and Information Unit and the Information and Evidence Section. Finally, the fifth commander, as operations commander, is responsible for forensic operations in Bosnia and Herzegovina, Croatia and Kosovo, recruitment, training and guidelines.

37. In addition, the Information and Evidence Section was placed under the responsibility and supervision of Command Group Four. The main advantage of this change was that the Chief of Information and Evidence will report to an investigations commander and not to the Deputy Prosecutor. Experience has shown that the Deputy Prosecutor was not able to devote the appropriate degree of attention to managing the Section, owing to other work pressures. The Information and Evidence Section will continue to provide support to trial teams, particularly in the pre-trial phase.

Command Group Four

38. Command Group Four is comprised of one investigation team, the Requests and Information Unit, the Information and Evidence Section and the Office of the Prosecutor Mapping Resources Library and Photovisual Reproduction Services.

Requests and Information Unit

39. The Requests and Information Unit is a newly formed unit that combines the functions formerly undertaken by the Fugitive and Sensitive Sources Unit and the operations requests for information function of the Office of the Prosecutor. The Unit tracks and gathers intelligence relating to the identification and current whereabouts of indicted accused persons, including those in sealed indictments, pursues the location and interviewing of sensitive sources and also handles all requests to Member States as well as requests from Member States inquiring about the status of possible immigrants and whether they have been involved in the commission of war crimes. The Unit regularly carries out liaison with other law enforcement agencies, including Interpol. As financial investigations rely heavily on requests for information, that function is also included in the Unit's responsibilities.

40. The Requests and Information Unit is composed of four P-3 investigators and one P-2 investigator. One investigator (redeployed from an investigation team) acts as the coordinator for requests for assistance; three of the investigators develop sensitive sources and informants, who must be approached and handled carefully; and, the fifth investigator is a specialist in asset tracing.

New posts: 1 P-4; redeployed post: 1 P-3, 1 General Service (Other level)

41. A post of legal adviser in asset tracing (P-4) is proposed. Tracing of assets is a specialized area that has in recent years gained significant momentum and is aimed at both depriving criminals of their ill-gotten gains and returning proceeds of crime to the victims. In addition, it makes it more difficult for the accused to have access to funds that could be used to support their fugitive status. Finally, it is a means of establishing evidentiary links between the crime base and high-level accused persons. The legal adviser should have specialized experience and knowledge of constitutional law, privacy provisions, banking law and criminal law, and should have substantial experience in working with law enforcement or other prosecutorial agencies in assets tracing and seizure. He or she should have the skill and experience necessary to win the confidence of the officials or other agents. The addition of a legal specialist in this area would enable the Prosecutor to advance the investigations, identify and locate the assets of the accused persons, trace such assets to the alleged criminal activity, leading to the freezing or seizure of such assets, which in turn would assist the Trial Chambers in dealing with the restitution of property and compensation to victims, pursuant to the statute and rules, in relation to high-level accused persons.

42. The formation of the Requests and Information Unit is meant to consolidate all requests for assistance. The workload indicators show that requests for assistance incoming and outgoing have increased significantly in the past year. It is proposed to redeploy one P-3 post from the investigation teams to serve as a coordinator for all requests for assistance.

43. It is also proposed to place Mapping Resources Library and Photovisual Reproduction Services under the Requests and Information Unit. One cartographic clerk redeployed from the Military Analysis Team runs the Mapping Resources Library. The functions of the cartographic clerk are more closely aligned with the functions of the Information and Evidence Section and the services are provided primarily to the investigation teams. For these reasons, it is proposed to redeploy the cartographic clerk under the Requests and Information Unit in the Command Group Four.

Administrative support

44. Administrative support to the Investigation Division is provided by 16 investigation assistants (General Service (Other level)). Each of the 10 investigation teams has an assistant assigned to it, the four commanders share two assistants, the operations commander has one and the Leadership Research Team, the Military Analysis Team and the Requests and Information Unit each have one assistant assigned to them.

New posts: 2 General Service (Other level)

45. Currently, the four investigation team commanders share two investigation assistants. It is proposed to establish two investigation assistants (General Service (Other level)) for the commanders so that each commander has an assistant. They would assist the teams by extracting and entering information from and into various databases (IIF, Keyfile and Zyindex) in the Office of the Prosecutor. The information includes material to be used for investigation and that generated by investigation activities, such as witness statements. Given the multiple responsibilities of the commanders, the growth in size of the investigation teams and the increased pace of the investigative work, it has become increasingly necessary for the commanders to have additional secretarial and administrative help.

B. Registry

46. The Registry is responsible for the Tribunal's administration and for the servicing of the judicial infrastructure. The Registry comprises four major organizational units: The Office of the Registrar, the Judicial Support Division, the Legal and Witnesses Division, and the Administrative Support Division.

Office of the Registrar

New posts: 1 P-4 and 1 General Service (Other level)

47. A post of a special assistant to the Registrar (P-4) is proposed. The Registrar currently does not have a special assistant to handle correspondence and coordinate with other services and administration within the Tribunal. The Registrar's responsibilities have grown proportionate to the expansion of the Tribunal. The magnitude of this oversight of Registry work, in addition to the manifold diplomatic/host country contacts, requires senior assistance to the Registrar to ensure that all tasks are addressed in an appropriate and timely manner.

48. It is also proposed that a post of administrative clerk (General Service (Other level)) be established. The Offices of the Registrar and the Chief of Administration

were until recently located adjacent to each other and the services of an administrative clerk who reports to the chief administrative officer were shared by the two offices. With the relocation of the Administration to a separate annex building, it is no longer possible for these services to be shared.

Judicial Support Division

Office of the Deputy Registrar

49. The Registrar is responsible for the administration and servicing of the Tribunal, under the authority of the President. By delegation, the Deputy Registrar, under the discretion of the Registrar, performs his duties as the officer responsible for the management of the Judicial Support Division. The Division provides support to the judiciary through six units: Office of the President; Court Management and Support Section; Chambers Legal Support Section; Detention Unit; Office of Legal Aid and Detention Matters (previously the Defence Counsel Unit); and the Library and Reference Unit. The Deputy Registrar is also required to act as presiding officer over the videolink remote witness facilities whereby witnesses may give evidence from cities remote from The Hague.

New post: 1 P-3

50. The establishment of one special assistant post (P-3) is proposed to provide assistance to the Deputy Registrar. The staff member would be responsible for carrying out liaison with other organs of the Tribunal on all administrative matters. The proposal is based primarily on a refocus of the Deputy Registrar's responsibilities. The Deputy Registrar needs sufficient administrative assistance to be in a position to respond to the requirements of the Chambers. In addition, the number and size of the sections under the direct supervision of the Deputy Registrar have increased considerably in past years owing to the overall growth in the Tribunal. Simultaneously, the number and importance of administrative tasks that are incumbent upon him have increased as well.

Office of the President

Reclassified post: 1 P-4 to P-5

51. The President's Chef de Cabinet is more than a special assistant. He directs all activities within the Office of the President and also acts as an advisor to the President. As such, the Chef de Cabinet is the natural interface between all components of the various functions attributed to the President, including all administrative and judicial structures that contribute to the undertaking by the President of all missions he is entrusted with by virtue of the Statute and the Rules of Procedure and Evidence. Based on the organization of the Office of the President, including the judicial, administrative and diplomatic responsibilities of the President as well as related functions, which involve the Chef de Cabinet on a daily basis, it is requested that the post be reclassified at the P-5 level.

Court Management and Support Section

52. The Court Management and Support Section has been experiencing a crisis in 2000. Thirteen new arrests have been made and 9 case files opened, which require

considerable extra work during the pre-trial phase. Responsibilities include executing decisions and delivering subpoenas and summons; and finalizing a relational database useful to the judges, the legal officers of the Chambers and the Registry, by assigning codes to a large quantity of data.

New posts: 5 General Service (Other level)

53. The proposed staffing table for the Court Management and Support Section includes the existing staff complement of 1 P-4, 4 P-3 and 11 General Service (Other level) posts; the establishment of 5 new General Service (Other level) posts, the redeployment in one and the redeployment out of one General Service (Other level) post.

54. The five new posts proposed are as follows:

(a) One court usher. The expansion of courtroom activities has shown that the principle of having only one backup court usher for all three courtrooms is insufficient. The duties of an usher extend beyond the courtroom, such as overseeing the transcript coordinators and the court records assistants. Where there is a very short turn-round between two court sessions this can cause a conflict between the duties of the usher in court and those out of court. It is therefore requested that one additional court usher post be established;

(b) One court records assistant. The Section currently has three Court records assistants who deal with the immediate recording, filing, and authentication of all court-related documents. As the number of cases in court, including appeals, has increased these assistants have had to cope with an ever-increasing workload. In addition, in 2001 a relational database will be set up that will allow the Chambers and other units direct computer access to a large number of documents. The new tool will, for the most part, be managed by the court records assistants. It is therefore proposed that a post for one court records assistant be established;

(c) Two records management clerks. It is proposed that the Archiving Unit be transferred from the Judicial Support Division to the Administrative Support Division in 2001, to reflect the unit's overall responsibility to develop records management and archiving systems throughout the Tribunal. The new unit would be named the Archiving and Records Management Service. One post would remain with the Court Management and Support Section to continue with the archiving and retrieval of court documents. Two additional record clerks are requested to handle the large number of court documents to be processed and projects proposed for the year. The projects include the transferral of video cassette recordings to other more permanent recording media, the organization of court exhibits so that judges and legal officers may have access to them in electronic form, the installation of the TRIM archiving software (also used by the International Criminal Tribunal for Rwanda), a more efficient electronic password-based method of transmitting documents to the Conference and Language Support Section (now in a separate building) and the building of a mapping archive for use by judges, legal officers and defence counsel;

(d) One transcript coordinator. The section currently has three transcript coordinators who process the transcripts produced in the courtrooms. In 2000 the function of the transcript coordinators was extended to include page numbering tallies, meaning that the page references are the same in English and in French,

which simplifies the work of the Chambers and the parties; the checking of transcripts on behalf of the Victims and Witnesses Section to ensure they do not contain any information that might place the witnesses/victims in danger; searching for transcript quotations so that the Translation Service can produce a true translation of judgements and other quotations. In view of these new tasks and the increased quantity of work owing to the output of the Chambers, it is proposed that a post for a transcript coordinator be established.

Detention Unit

55. The Detention Unit is currently composed of one officer (P-4), one deputy (General Service (Principal level)) and five General Service (Other level) posts. In addition, up to 48 detention guards are contracted from the Netherlands, one from Austria and three from Denmark. These are budgeted under contractual services below.

New post: 1 General Service (Other level)

56. The Detention Unit is currently split between two separate units and the number of trips between the Unit and the courts has increased significantly. The combination of these factors effectively increases the level of coordination and supervision. In addition, the number of visitors to the unit and the administrative duties related to this activity have grown in direct proportion to the increasing numbers of detainees. It is therefore proposed that an additional post be established, for a deputy commanding officer, at the General Service (Other level).

Office of Legal Aid and Detention Matters

57. The Office of Legal Aid and Detention Matters (previously the Defence Counsel Unit) is currently composed of one P-3, two P-2 and two General Service (Other level) posts.

Redeployed post: 1 General Service (Other level); reclassified post: 1 P-3 to P-4

58. It is proposed that the post of counsel liaison clerk be redeployed from the Court Management and Support Section to the Office of Legal Aid and Detention Matters. The liaison clerk's position has evolved into being the first line of contact with the defence teams.

59. The changes in the functions of the Deputy Registrar's office, with a greater responsibility for Chambers matters, and the growth in the number of detainees and defence teams staff, has required the Coordinator of the Office to take on increased responsibility for tasks of greater difficulty and depth and of wider scope to meet the needs of the legal and financial management of the defence counsel and detainee administration. This has required the coordinator to carry out a much wider range of legal/administrative duties, including making decisions and policy regarding the assignment of defence support staff, the auditing and authorizing of counsel and team invoices, responding to all counsel and detainee requests and correspondence, and supervising the drafting of amendments of rules regulating defence counsel activities and the detention regime. In addition, the Deputy Registrar, owing to his increased responsibilities, is no longer in a position to be directly involved in the work of the Office and the section coordinator is therefore expected to act more dependently and handle those tasks with minimal supervision. It is therefore

proposed that the post of coordinator in the Office of Legal Aid and Detention Matters be reclassified to P-4.

Legal and Witnesses Division

60. The Legal and Witnesses Division (previously the Legal Division) comprises the Office of the General Counsel, the Registry Legal Support Unit and the Victims and Witnesses Section.

Office of the General Counsel

61. The Office of the General Counsel is responsible for supervising the Legal and Witnesses Division and comprises the General Counsel, one associate legal officer (P-2) and one secretary (General Service (Other level)).

Reclassified post: 1 P-5 to D-1

62. The senior legal officer currently responsible for supervising the Legal and Witnesses Division, comprising the Registry Legal Support Unit and the Victims and Witnesses Section, is at the P-5 level. Given the scope of these responsibilities and the increasingly specialized legal advice to the various organs of the Tribunal, it is proposed that the post be reclassified to the D-1 level.

63. The responsibilities include an array of general internal law of the organization matters, including administrative, procurement, contracting and personnel issues. The incumbent would continue to carry out liaison with the Office of Legal Affairs at Headquarters and with the host country and other States on privileges and immunity issues and the negotiation of international agreements. The incumbent would also be required to serve as a senior member of the management team and to serve on various management committees and boards.

64. The added responsibilities would include the specialized area of enforcement of the Tribunal's sentences and relocation of its witnesses who are under threat on account of their testimony, negotiation of agreements with States and advice on various arrangements related thereto, involving extremely sensitive issues of international and domestic law as well as State sovereignty.

Victims and Witnesses Section

65. The proposed staffing table for the Victims and Witnesses Section includes 1 existing P-5, 3 P-3, 3 P-2, and 18 General Service (Other level) posts and the reclassification of 1 P-3 to P-4 and establishment of 4 General Service (Other level) posts.

New posts: 4 General Service (Other level); reclassified post: 1 P-3 to P-4

66. As the section takes on an increasing number of duties with a high degree of complexity, the need for a Deputy Chief has emerged. It is proposed to reclassify the post of protection officer (P-3) to deputy coordinator (P-4).

67. The Victims and Witnesses Section, being divided into three distinct areas of competence and with a current staff of 23, has a clear need for enhanced coordination. Between the areas of operations, support and protection, there is a constant requirement for the cross-flow of information and management. The Chief

of the Section (P-5) has a clearly defined role in regulating the interaction of the sub-sections of the Section with the Chambers, the Office of the Prosecutor and defence counsels. The duties of the Chief entail a substantive amount of travel. The designation of a deputy coordinator would facilitate the effective management of the Section.

68. The establishment of four General Service (Other level) posts is proposed, as follows:

(a) One administrative assistant. An administrative assistant is proposed to provide improved services to the increased level of trial activities. It would allow for the reallocation of tasks from the liaison officer to the administrative assistants. The subsection would also be able to establish safety net procedures that prevent any disruption in the court owing to the non-appearance of witnesses;

(b) One field assistant. The needs of witnesses and the Trial Chambers are not being adequately served at present. Without the assistance of field assistants witnesses would have difficulty in coping with the immigration and accommodation problems of an enforced overnight stay. An additional field assistant would avoid the use of Professional staff who have other responsibilities;

(c) One witness assistant. The addition of a new witness assistant post would prevent leaving the most vulnerable witnesses unattended at locations where they are held during their stay in The Hague;

(d) One language assistant. In 2000 there was an unprecedented demand for supportive counselling and debriefing of witnesses during and after testifying, particularly in the Kunarac and Kvocka trials. Prosecution witnesses for those trials have been traumatized and have demonstrated a great need for psychological support during and after testifying. In many instances, interpretation services for the support officers were not available. The presence of a language assistant would enable contacts with witnesses to be streamlined through one person, resulting in a more systematic, methodical and efficient manner of establishing contact with witnesses and imparting vital information.

Administrative Support Division

69. The support required from the Administrative Support Division has increased substantially as a result of increased activities in the courts. In 2000 the operations of the Tribunal expanded into Kosovo and the former Yugoslav Republic of Macedonia, yet the support expected from the Division had negligible increases. With yet another expansion of activities anticipated in 2001 owing to the higher level of trial activities, the capacity of the Administration must be strengthened.

Archiving and Records Management Services

Redeployed posts: 1 P-3, 1 General Service (Principal level), 1 General Service (Other level)

70. As described earlier, in 2001 the functions of the Archiving and Records Management Service will become part of the office of the Chief Administrative Officer. The service will be responsible for establishing an integrated system of records management, provide analysis, development and implementation of centralized records systems for the Registry, Chambers and the Office of the

Prosecutor. It also will continue to transfer video cassette recording to more permanent media, oversee the installation and training for the TRIM archiving software (also used at United Nations Headquarters and the International Criminal Tribunal for Rwanda) and the ongoing storage and retrieval of documents by all areas of the Tribunal. The Unit will consist of one P-3, one General Service (Principal level) and one General Service (Other level) posts redeployed from the previous Archiving Unit under the Judicial Services Division.

Security and Safety Section

71. In reviewing the proposed staffing table for security personnel it should be noted that the Tribunal has many special requirements that do not exist elsewhere in the United Nations system and so direct comparisons cannot be made with other offices. These special requirements include the need to accompany single or multiple accused persons wherever they go within the Tribunal building, to ensure the safety of witnesses before and after they testify and to secure the Tribunal buildings from terrorist attack. Each of these activities are labour-intensive and therefore requiring a force of security officers that might seem disproportionate to the size of the office if all factors were not taken into account.

New posts: 19 security officers; reclassified post: 1 P-3 to P-4

72. Five security officer posts are proposed for the Belgrade office. The reopening of the Belgrade office would require the deployment of security officers. The reopening of a field office in the Yugoslav capital would raise significant security concerns, particularly in the aftermath of political upheaval and in a destabilized economy, when there is every likelihood of a serious threat to the Tribunal's staff and property.

73. Ten security officer posts are proposed for the third office building in The Hague. The budget parameters indicate that the expansion of staff may require the acquisition of a third building. Any additional building would require a security regime similar to that in place in both the main building and in the Administration building, i.e., 24-hour security coverage and a 100 per cent screening policy. Based on the experience of securing the Administration building and assuming a single point only of access and egress, the minimum staffing requirement is estimated at 10 security officers.

74. Further, four security officer posts are proposed for executive protection and field security duties. The Tribunal has been successful in apprehending suspects alleged to have higher-level command and control responsibilities. Indicted suspects of this kind must be expected to have access either to criminal underworld resources or raise the spectra of State-sponsored terrorism. The resulting security requirement is immense. The Prosecutor requires fully trained and armed protection officers on a 24-hour basis, wherever she may go. Particularly outside the host country, responsibility for security remains firmly with the Tribunal. Security coverage must be maintained and officers must be assigned to close protection duties. It is envisaged these officers would travel with the Chief Prosecutor as protection officers. At least one officer would deploy in advance of the main party and act as a liaison officer and carry out a risk assessment to determine overall security needs. The others would remain with the Prosecutor at all times.

75. In addition, the Chief of Investigations has asked the Section to be prepared to support the Office of the Prosecutor on a number of special missions. For example, security officers have accompanied investigators on assignments where large numbers of military weapons have been seized and test fired for subsequent ballistic examination. Likewise, while there will be no exhumation project in Kosovo during 2001, it is likely that investigators will be required to operate on crime scenes or other projects in contentious and volatile areas.

76. The reclassification of the post of Deputy Chief to the P-4 level is proposed. The span of control covered by the post of Deputy Chief has increased significantly, requiring careful leadership and control of the 110 security officers in the Section. There are three separate buildings in The Hague, housing well over 1,000 staff, with strict and continuous security requirements. Security officers are also deployed in Pristina, Sarajevo, Skopje and Zagreb (and in Belgrade for 2001). Furthermore, the security threat will increase as the Tribunal continues to mature and moves towards fully meeting its mandate through the prosecution of high-ranking indictees. The Deputy Chief would be required to execute a substantial degree of independent decision-making, for example, in dealings with the security agencies of the host country, and to exercise careful control in the absence of the Chief. Many issues are complex in nature and require judicious decision-making capabilities. The post has therefore evolved considerably over the years and necessitates a re-evaluation of current grade. In order to recognize the substantially changed role for the Deputy Chief of Security reclassification of the P-3 post to P-4 is proposed.

Finance Section

77. The Finance Section is composed of five units: the Financial Accounts Unit (processing of various financial and accounting documents; recording the issuance of allotments; cash-flow forecasts; trust funds and inter-office billing transactions; reconciliation; bank preparation of financial statements; and maintenance of accounts); the Payments and Disbursements Unit (payment of salaries and related allowances and other benefits to staff, consultants and the judges of the Tribunal; processing payments to vendors and other contractors); the Treasury Unit (administration of the bank accounts and the cashier's office); the Systems Support Unit (support the use of the field accounting and field payroll systems locally, development of the Professional payroll module for Progen); and the Financial Control Unit (for compliance with General Assembly resolutions and rules and regulations).

New posts: 1 P-2 and 3 General Service (Other level)

78. One P-2 associate finance officer post as the Chief of the Payroll Unit is proposed. The continued growth of the Tribunal requires a chief to oversee the Payroll Unit, which is projected to handle an average of 1,200 monthly payments to all levels staff on various contracts with a higher than normal turn-over ratio given the number of staff employed on general temporary assistance contracts.

79. Three finance assistant posts at the General Service (Other level) are proposed as follows:

(a) One finance assistant — accounts. The growth of the Tribunal has resulted in significant additional obligations, including a substantial numbers of amendments to travel authorizations; the substantial increase in payments issued has

resulted in increased bank reconciliation requiring an additional position to handle the additional responsibilities of the unit;

(b) Two General Service (Other level) finance assistants — vendors and travel claims. The Tribunal will require two additional staff to handle the increase in travel and vendor claims projected for fiscal year 2001. It should be noted that no additional support was provided in 2000 and the changes in the Chambers and the Office of the Prosecutor have resulted in travel authorizations projected at over 7,000, which is an increase of more than 40 per cent over 1999.

Human Resources Section

80. Under the delegated authority of the Registrar for the appointment and administration of staff up to the D-1 level, the Human Resources Section aims at providing both the administrative and substantive activities of the Tribunal with the necessary human resources and to administer them in an efficient and just manner, in accordance with United Nations rules and procedures. In addition to the delegated authority for staff recruitment, the Tribunal has authority to classify posts up to and including the P-4 level. This task is accomplished through two separate classification panels, one for Professional-grade post classifications and one for General Service-grade classifications.

81. In 2001, the Human Resources Section will once again provide personnel services for an increasing number of staff. The Section will provide the full range of personnel functions for the Tribunal for about 1,000 staff members at The Hague, Zagreb, Sarajevo, Banja Luka, Belgrade, Pristina and Skopje, along with 20 judges, 34 interns and over 200 trust fund project-based personnel.

New posts: 3 General Service (Other level)

82. Three personnel assistant posts are proposed as follows:

(a) Training assistant. The increase in the training requirements for the Tribunal coupled with the implementation of the language training programme requires a full-time staff member to assist with those issues. The assistant would also act as secretary to the panel on training;

(b) Personnel assistant — Recruitment and Training Unit. The significant increases in court-related activities, the expansion of specialized fields, the introduction of pre-placement examinations, and the additional responsibilities in the administration of the interns programme require the addition of one post to deal with the increasing workload;

(c) Personnel assistant — Staff Administration Unit. As a result of the expansion of the Tribunal and the inclusion of exhumation activities in the budget, an additional post is required for the administration of staff, including induction, monitoring contracts, extension of appointments and separations, personnel actions and staff benefits and entitlements. The number of contracts to be processed as a result of the very short rotation of personnel in the exhumation programme adds a significant burden on the workload throughout the Human Resources Section.

Conference and Language Support Section

83. The activities of Conference and Language Support Section can be broken down to four categories: translation/consecutive interpretation; conference interpretation; field interpretation; and court reporting.

New posts: 3 P-4, 7 P-3, 4 P-2 and 10 General Service (Other level)

84. Two P-4 English language translator/reviser posts are proposed. With the Trial Chambers' stated mission goal of shorter trials (which, for translation purposes means shorter deadlines) and the foreseen increase in the workload, the Section needs more P-4-level translators. These are translator/revisers who work in Bosnian/Croatian/Serbian, English, French and Albanian language combinations. This calibre of translator is assigned the most complex documents, their work requires little revision and thus they can cope with the shorter deadlines. They can also revise other translations, thereby alleviating some of the burden on the full-time revisers.

85. In addition, one P-4 post is proposed for Chief of the Conference Interpretation Unit. As the members of the Unit will be physically separated from the Chief of Section, in a different building, it is no longer possible for her to keep direct control over the activities of the Unit. It is therefore proposed to create a P-4 post for a Unit Chief to oversee the work of the unit.

86. Seven additional P-3 posts are proposed, as follows:

(a) One P-3 terminologist. The Chief of the newly created Reference, Terminology and Document Processing Unit should be a professional terminologist, preferably with an advanced law degree, fully fluent in English and French, with knowledge of Bosnian/Croatian/Serbian. The Chief would need to be conversant with dedicated computer software and would manage and supervise the work of the Unit. He/she would initially have to define the modus operandi of the Unit in cooperation with the translation units;

(b) Two P-3 English language translators. Given the anticipated increase in the volume and court-related nature of work, the English Translation Unit needs experienced translators whose translation skills have already been honed and thus require little revision. This would enable the revisers to complete their work more rapidly and would therefore be more time- and cost-effective. In view of the Office of the Prosecutor's expectation of submitting documents for English-Albanian and Albanian-English translation, one of the posts would be for an additional English-Albanian translator;

(c) Three P-3 French language translators. The French Translation Unit's translators are required to deal with minimal supervision with complex legal documents. In 2000, the workload for the Unit has increased by over 40 per cent and in 2001 it is forecast to increase by a further 25 per cent. In order to accommodate the workload and to ensure that no backlogs occur, it is proposed to establish three new P-3 posts in 2001.

87. Four P-2 English language associate translator posts are proposed. An associate translator is needed by each investigation team to assist with summaries, draft translations, missions, consecutive interpretation, telephone conversations and the language processing of other investigation and trial-related material. The

associate translators would help to alleviate some of the pressure on the Section's translators. The English Translation Unit has already assigned six P-2 translators to investigation teams and an additional four translators will be assigned to assist the teams.

88. Ten new General Service (Other level) posts are proposed as follows:

(a) One document control clerk. With the Section physically located elsewhere from the requesting parties, a dedicated computer link has been created for the receipt and return of translation requests from the Office of the Prosecutor. The proposal is to create another such link for the Registry, to improve security and reduce time lost in physically bringing documents from one building to another and to have electronic versions of all documents. This link requires full-time staffing;

(b) Three English language text processing clerks. The increasing volume of work necessitates three additional posts in order to free translators of all extraneous work other than translation, including tasks related to inputting revisers' corrections, formatting documents, processing charts and diagrams and assisting with the transcription of audio and video material, etc;

(c) Four language assistants. Three working courtrooms have overextended the capacity of the English Translation Unit, since language assistants are also needed for informal consecutive interpretation within the Tribunal or on mission. It bears repeating that the profile of these language assistants differs from that of the Office of the Prosecutor language assistants, despite their common job title. In order to be able to cover the above needs (with all three courtrooms working there should be two language assistants per courtroom) and, in view of the anticipated 50 per cent increase in the workload of the English Translation Unit, four additional language assistant posts are proposed;

(d) Two French language text processing clerks. The new text processing clerks would be assigned to proofread and format the Unit's materials. That task would be taken out of the translators' hands, with a considerable gain in productivity.

Electronic Support and Communications Section

89. The current staffing table for the Section includes 1 P-5, 1 P-4, 3 P-3, 5 P-2, 3 General Service (Principal level) and 31 General Service (Other level) posts.

New posts: 5 General Service (Other level)

90. Five General Service (Other Level) posts are proposed as follows:

(a) Two General Service (Other level) computer support assistant posts. In a highly automated environment, the productivity of staff members is directly linked to the smooth operation of their computer workstations, which in turn depends on an effective and responsive help desk. In order to be in a position to deliver these critical services, it is proposed that the help desk be augmented with an additional two computer support assistants;

(b) One General Service (Other level) LAN administrator. The number and variety of systems supported by the LAN administrators has grown substantially. In addition to the traditional role of supporting the use of file- and print-sharing via a network, new duties taken on to improve overall efficiency have been implemented,

including automated document archiving, use of the Intranet, centrally managed software distribution, workstation configuration monitoring and management, wide area networking to the field offices, the Lotus Notes link to United Nations Headquarters, the Internet and expanded Intranet usage. In addition, the awareness of security threats has increased owing to the work of the information security officer, prompting more detailed auditing, additional security products (firewall, encryption, intrusion detection, secure volumes, frequent anti-virus updates), development of more stringent security procedures. These additional duties ensure the security of the Tribunal's sensitive information as well as the reliability of the network systems. An additional building will increase the complexity of the overall installation, both in terms of the project work needed to install the link and the new service, as well as in having to provide for continuing operations after installation. Increased complexity of the networks means that extra effort must be expended in monitoring network performance and in tuning to achieve optimum usage;

(c) One audio-visual technician and one court computer operations assistant. The increased activity in the Courtrooms has had a disproportionate effect on audio-visual operations as it reduces time during normal working hours for courtroom maintenance and to provide support to court management, i.e., the labelling and copying of tapes for backup and reviewing courtroom links to external reporting companies. In addition non-court activities requiring audio-visual support have recently increased significantly, with pre-trial activities occurring more frequently outside the courtroom. As a result of the increased activity both in and out of court it is requested that two further posts be established, for one audio-visual technician and one court computer operations assistant.

General Services Section

91. The current staffing table for the General Services Section comprises the following: 1 P-5, 3 P-3, 2 General Service (Principal level) and 20 General Service (Other level) posts.

New posts: 8 General Service (Other level); redeployed posts: 1 P-2 and 3 General Service (Other level)

92. Eight new General Service (Other level) posts are proposed as follows:

(a) One reproduction clerk. Since 1999, the copy load has increased by 50 per cent. With the increase in courtroom activity, an additional post of reproduction clerk is proposed to meet the increase in demand;

(b) One travel assistant. The Unit currently has three regular General Service (Other level) staff. With the increase projected in 2001 of 7,500 travel authorizations to be processed it is proposed that the staffing of the Travel Unit be increased by one additional travel assistant;

(c) One supply clerk. The supply stores currently has only one staff member and this has proved to be inadequate as the staff member is required to requisition, order, receive and stock, to perform inventory control and to issue material from three separate stores in two buildings. It is proposed to add one additional supply clerk to make up for this shortfall in service;

(d) Two mail and pouch clerks. The Mail Unit currently has only one regular General Service (Other level) post for the handling, dispatch and internal

distribution of mail. This level of service has proved inadequate with the pieces of mail handled per month topping 16,000 being distributed between the two buildings.

(e) Two building maintenance technicians. The occupancy of the Administration building requires support of an additional building maintenance technician. An electrician is also proposed to support operations in the field, on a rotational basis, because of the importance of a steady dependable power supply to operations in the field to avoid cessation of operations and the loss of data, which have threatened the ability of the field offices to meet their mandate.

(f) One building services clerk. The number of service-related work orders has grown considerably, mainly owing to the need for quality control of the Tribunal's cleaning, garbage removal, paper recycling, cafeteria food service and vending machine contracts. This work requires a great deal of follow-up with the various contractors and deserves dedicated support. It is therefore proposed to employ a building service clerk for contractual services.

Procurement and Travel Section

93. The Procurement and Travel Section currently covers the procurement of supplies, services and equipment along with the provision of travel services for all sectors of the Tribunal. In 2000, of the total expenditures in the Tribunal assessed budget and trust funds over $18 million were the result of procurement activity. In 2001, the Tribunal plans to redeploy the Travel Unit from the Procurement Section to the General Services Section, in line with the structure adopted within the United Nations system.

94. The current staffing establishment comprises one P-4, one P-3, two P-2, one General Service/Principal level and six General Service (Other level) posts.

New post: 1 General Service (Other level)

95. One new invoice clerk post is proposed. This function is important to the overall administrative process of verifying receipt of goods, processing invoices to finance, resolving vendor problems both internally and externally and ensuring that requests for payment are handled in a timely manner.

Annex III

Monthly incumbency report, 2000

A. Office of the Prosecutor

	Authorized staffing	*December 1999*	*January*	*February*	*March*	*April*	*May*	*June*	*July*	*August*
Under-Secretary-General	1	1	1	1	1	1	1	1	1	1
Assistant Secretary-General										
D-2	1	1	1	1	1	1	1	1	1	1
D-1	2	2	2	2	2	2	2	2	2	2
P-5	17	12	12	13	16	16	16	16	16	15
P-4	58	51	52	52	49	50	51	51	52	52
P-3	93	76	80	82	83	83	84	85	84	85
P-2	62	57	52	54	54	56	54	54	54	55
Subtotal	**234**	**200**	**200**	**205**	**206**	**209**	**209**	**210**	**210**	**211**
Vacancy rate (percentage)		9.9	14.5	12.4	12.0	10.7	10.7	10.3	10.3	9.8
GS (Principal level)	2	1	1	1	1	1	1	1	1	1
GS (Other level)	134	116	117	123	123	124	124	123	123	125
Security Service										
Subtotal	**136**	**117**	**118**	**124**	**124**	**125**	**125**	**124**	**124**	**126**
Vacancy rate (percentage)		5.6	13.2	8.8	8.8	8.1	8.8	8.8	8.8	7.4
Total	**370**	**317**	**318**	**329**	**330**	**334**	**334**	**334**	**334**	**337**
Vacancy rate (percentage)		8.4	14.1	11.1	10.8	10.0	10.0	10.0	10.0	8.9

B. The Registry

	Authorized staffing	*December 1999*	*January*	*February*	*March*	*April*	*May*	*June*	*July*	*August*
Under-Secretary-General										
Assistant Secretary-General	1	1	1	1	1	1	1	1	1	1
D-2										
D-1	2	2	2	2	2	2	2	2	2	2
P-5	14	13	13	13	12	12	12	11	11	12
P-4	37	31	33	34	33	33	34	35	36	36
P-3	74	57	57	57	57	58	61	63	65	66
P-2	58	46	48	48	50	50	54	54	54	55
Subtotal	**186**	**150**	**154**	**155**	**155**	**156**	**164**	**166**	**169**	**172**
Vacancy rate (percentage)		10.7	17.2	16.7	16.7	16.1	11.8	10.8	9.1	7.5
GS (Principal level)	10	9	9	9	10	10	9	9	9	9
GS (Other level)	172	156	158	161	160	159	160	162	166	163
Security Service	110	98	97	98	99	107	108	109	109	108
Subtotal	**292**	**263**	**264**	**268**	**269**	**276**	**277**	**280**	**284**	**280**
Vacancy rate (percentage)		2.6	9.6	8.2	7.9	5.2	4.8	3.8	3.4	4.1
Total	**478**	**413**	**418**	**423**	**424**	**432**	**441**	**446**	**453**	**452**
Vacancy rate (percentage)		5.7	12.6	11.5	11.3	9.4	7.5	6.5	5.6	5.4

C. Total

	Authorized staffing	*December 1999*	*January*	*February*	*March*	*April*	*May*	*June*	*July*	*August*
Under-Secretary-General	1	1	1	1	1	1	1	1	1	1
Assistant Secretary-General	1	1	1	1	1	1	1	1	1	1
D-2	1	1	1	1	1	1	1	1	1	1
D-1	4	4	4	4	4	4	4	4	4	4
P-5	31	25	25	26	28	28	28	27	27	27
P-4	95	82	85	86	82	83	85	86	88	88
P-3	167	133	137	139	140	141	145	148	149	151
P-2	120	103	100	102	104	106	108	108	108	110
Subtotal	**420**	**350**	**354**	**360**	**361**	**365**	**373**	**376**	**379**	**383**
Vacancy rate (percentage)			15.7	14.3	14.0	13.1	11.2	10.5	9.8	8.8
GS (Principal level)	12	10	10	10	11	11	10	10	10	10
GS (Other level)	306	272	275	284	283	283	284	285	289	288
Security Service	110	98	97	98	99	107	108	109	109	108
Subtotal	**428**	**380**	**382**	**392**	**393**	**401**	**402**	**404**	**408**	**406**
Vacancy rate (percentage)			10.7	8.4	8.2	6.3	6.1	5.6	4.7	5.1
Total	**848**	**730**	**736**	**752**	**754**	**766**	**775**	**780**	**787**	**789**
Vacancy rate (percentage)			13.2	11.3	11.1	9.7	8.6	8.0	7.2	7.0

Annex IV

Equipment requirements, 2001

(Thousands of United States dollars, unless otherwise indicated)

	(1)	(2)	(3) = (1)+(2)	(4)	(5)	(6) =(4)+(5)	(7)	(8) = (6)x(7)
	Inventory as at 31 December 2000			Proposed Units				
	Inventory on hand	Under procurement	Total inventory	Replacement	Additional	Total number of units	Unit cost	Total cost
Office furniture						-		
Cabinet	895	-	895			-		0
Chairs	1 333	95	1 428	1 140	90	1 230	260	319 800
Conference table sets	54	57	111			-		0
Kitchen equipment	15	2	17			-		0
Trolleys, ladders and storage units			-			-		11 000
Work stations	916	210	1 126		90	90	2 800	252 000
Other furniture			-			-		39 800
Subtotal	**3 213**	**364**	**3 577**	**1 140**	**180**	**1 320**		**622 600**
Office equipment						-		
Document safes	12		12		3	3	1 100	3 300
Office equipment	31	1	32		2	2	20 700	41 400
Subtotal	**12**	-	**12**	-	**3**	**3**		**44 700**
Electronic data-processing equipment						-		
Desktop computers	1 288	144	1 432	140	90	230	1 600	368 000
Jukebox, Optical Disk Server	3	(1)	2	-		-		0
LAN infrastructure - upgrade	n/a		n/a			-		171 700
Laptops	265	32	297	5	20	25	2 700	67 500
Network equipment	32	13	45			-		0
Network equipment for additional office space								964 700
Other specialized hardware			-			-		13 600
Printers	390	59	449	24	5	29		45 200
Scanner	42	15	57		27	27	1 500	40 500
Servers	35	3	38	4		4	36 500	146 000
Servers - upgrade	n/a		n/a			-		105 600
Subtotal	**2 055**	**265**	**2 320**	**173**	**142**	**315**		**1 922 800**
Software packages						-		
Anti-virus software	n/a		n/a			-		15 300
Building management software (Aperture)	n/a		n/a			-		60 000

		(1)	(2)	(3) = (1)+(2)	(4)	(5)	(6) = (4)+(5)	(7)	(8) = (6)x(7)
		Inventory as at 31 December 2000			Proposed Units				
		Inventory on hand	Under procurement	Total inventory	Replacement	Additional	Total number of units	Unit cost	Total cost
	Data security audio software	n/a		n/a			-		18 400
	Encryption and protection (DiskNet, Internet)	n/a		n/a			-		70 000
	Reality procurement system	n/a		n/a			-		99 000
	Softwares for language support	n/a		n/a			-		80 000
	Upgrading of office software (Microsoft Word)	n/a		n/a			-		202 300
	Upgrading of software (various)	n/a		n/a			-		51 200
		n/a		n/a			-		0
	Subtotal	-	-	-	-	-	-		**596 200**
5.	**Transportation equipment**						-		
	Engineering plant	6	-	6			-		0
	Transport equipment	33	-	33			-		0
	Vehicle, trucks/buses - heavy	6	1	7	1		1	25 000	25 000
	Vehicles, passenger	100	13	113	4	1	5		115 000
	Subtotal	**145**	**14**	**159**	**5**	**1**	**6**		**140 000**
6.	**Audio-visual equipment**			-			-		0
	Amplifier	29	-	29			-		0
	Audio playback stations, digital			-		3	3	1 700	5 100
	Audio system, infrared including receivers			-		1	1	19 100	19 100
	Computer-assisted input module					1	1	14 000	14 000
	Camcorder	30	-	30	3	5	8		8 100
	Camera					1	1	1 000	1 000
	Conference room equipment			-			-		22 000
	DCN central control unit	3		3	1	-	1	4 600	4 600
	Digital audio workstation			-		1	1	6 400	6 400
	Digital copying machine					3	3	21 000	63 000
	Digital videodisk ROM			-		10	10	400	4 000
	Ear pieces/headphones				275				3 800
	Earphone system, infrared								11 800
	Interpreter's station/delegate's audio	90	3	93			-		0
	Logo generator				1				3 500
	Microphone wireless	1	6	7		2	2		0
	Monitor/TV	279	9	288	28		28		11 800
	Projector	13	1	14		2	2		8 800

	(1)	(2)	(3) = (1)+(2)	(4)	(5)	(6) = (4)+(5)	(7)	(8) = (6)x(7)
	Inventory as at 31 December 2000			Proposed Units				
	Inventory on hand	Under procurement	Total inventory	Replacement	Additional	Total number of units	Unit cost	Total cost
Rack			-		4	4		8 100
Tape eraser			-		1	1	6 500	6 500
Tools, audio-visual technical			-		3	3	2 500	7 500
VCR	122	18	140	7	11	18		7 000
VCR/TV combo	33	3	36		49	49		2 400
Video camera/lens	28	6	34		2	2		10 300
Video delay system	6		6			-		0
Video distribution system	1		1		1	1		0
Video indexing								5 000
Video mixer	7		7		1	1		0
Video switch matrix	7		7		1	1		0
VHS recorder	-		-	-	1	1		7 200
Other audio-visual equipment	-		-		-	-		62 300
Subtotal	**649**	**46**	**695**	**315**	**102**	**141**		**303 300**
7. Communications equipment			-			-		0
Crypto telephone	25	5	30	3		3	12 000	36 000
Demand access multiple access chassis								12 000
Fax machine	69	14	83	2	17	19		30 500
INMARSAT M	18	-	18	1		1		14 000
Masts for antenna								24 000
Mobile telephone	165	40	205	12	-	12		2 400
PABX system	3	-	3		2	2		120 000
Pagers					10			500
Portable photocopier	8	2	10	7		7		2 100
Radio, UHF base station radio					1			2 500
Radio, UHF vehicle					6			18 000
Satellite earth station (VSAT)	2	1	3			-		0
Satellite earth station, upgrade								55 000
Telephone					80	80	200	16 000
Telephone voice hubs								30 000
Transceiver (UHF,VHF)	390	-	390	53	-	53		21 200
Transceiver HF	25	-	25			-		0

	(1)	(2)	(3) = (1)+(2)	(4)	(5)	(6) = (4)+(5)	(7)	(8) = (6)x(7)
	Inventory as at 31 December 2000			Proposed Units				
	Inventory on hand	Under procurement	Total inventory	Replacement	Additional	Total number of units	Unit cost	Total cost
Transceiver, upgrading for encryption boards					75			26 200
UHF repeater					2	2		14 500
VTC Terminal	2	2	4		3	3		0
Other communications equipment						-		146 000
Subtotal	**707**	**64**	**771**	**78**	**196**	**182**		**570 900**
Security equipment			-			-		0
Ammunition	n/a		n/a			-		16 700
Fire fighting equipment	5	-	5			-		0
Firearm	136	-	136		19	19	1 000	19 000
Metal detector and X-ray machine	28	3	31	1	2	3		94 000
Training equipment	1	-	1			-		3 300
Other security equipment			-			-		32 000
Subtotal	**170**	**3**	**173**	**1**	**21**	**22**		**165 000**
Other miscellaneous equipment			-			-		0
Forensic equipment	69	15	84			-		
Tools for building management			-			-		3 200
Miscellaneous equipment			-			-		28 300
Subtotal	**69**	**15**	**84**	**-**	**-**	**-**		**31 500**
Grand total - equipment								**4 397 000**

Annex V

Workload indicators

	1999 actual	*2000 estimates (A 54 518)*	*2000 actual (as of 31 July 2000)*	*2001 projected*
A. Chambers				
Court sessions	399	506	479	1 002
Plenary days	6	9	3	9
Trials	12	8	13	10
Appeals (International Tribunal for the Former Yugoslavia)	5	33	7	10
Documents filed (pages)	51 170	55 000	50 371	90 000
Documents filed (Chambers) (pages)	3 479	4 000	2 795	4 800
Transcript pages	49 183	71 500	52 309	90 000
B. Office of the Prosecutor				
Prosecution Division				
Motions/applications/responses	423	450	242	450
Trials under preparation	9	12	9	15
Investigation Division				
Number of investigations*	32	31	37	42
Search warrants	17	4	10	14
Witnesses interviewed	3 516	1 932	3 647	6 000
Requests for assistance, in	780	360	341	600
Requests for assistance, out	900	1 000	757	1 400
Leadership Research Team				
Reports prepared	200	200	111	200
Military Analysis Team				
Reports prepared	531	600	326	600
Fugitive Intelligence and Sensitive Sources Unit				
Intelligence contacts	247	80	232	400
Forensic Unit				
Number of mass graves identified for exhumation	13	27	132	10
Actual mass grave exhumations completed	8	110	126	7
Bodies exhumed	929	2 143	899	1 000
Post mortems performed	702	2 143	870	1 000
Information and Evidence Section				
Evidence collection				
Pages of information	1 395 000	1 800 000	1 709 000	2 200 000
Videotapes	2 523	2 500	2 833	3 700
Criminal Intelligence Database				
Relationships entered (cumulative total)	689 931	808 000	728 664	825 000

	1999 actual	2000 estimates (A/54/518)	2000 actual (as of 31 July 2000)	2001 projected
Documents entered (cumulative total)	5 216	5 500	5 454	6 000
C. Registry				
Public Information Services				
Press contacts	29 800	60 000	25 400	43 600
Visits arranged by universities, law societies etc.	120	240	99	200
Number of visits by universities, law societies etc.	2 433	6 000	1 916	4 000
Internet Homepage hits (in millions)	0.90	1.08	0.70	1.20
Detention Unit				
Detainees	29	40	37	50
Detainees transported	903	1 425	654	1 331
Visitor hours	16 496	25 391	9 953	25 382
Telephone calls monitored	12 052	16 622	14 343	29 118
Office of Legal Aid and Detention Matters				
Defence team members	90	125	129	150
Detainee visit permit applications	650	730	426	900
Library and Reference Unit				
Size of collection	4 359	5 000	4 817	6 300
Search requests	3 461	4 200	2 420	4 800
Legal database hours	1 200	1 800	750	1 500
Registry Legal Support Unit				
Contracts reviewed	24	36	40	35
Research projects	12	15	10	17
International agreements negotiated	14	27	13	22
Victims and Witnesses Section				
Witnesses	341	600	342	670
Witness days	2 170	4 800	2 376	5 360
Witnesses with additional protective measures	134	250	103	201
Relocation requests	10	20	12	30
Witnesses with additional support needs	88	120	123	241
Office of the Chief Administrative Officer				
Appropriation/expenditures (net) (millions of $)	80.0	96.4	48.3	100.2
Extrabudgetary expenditures (net) (millions of $)	7.4	5.8	3.9	4.9
Archiving and Records Management Unit				
Records transferred (metres)	73	84	191	60
Requests for information	1 940	1 900	328	240
Documents destroyed (metres)	300	324	10.5	432
Security and Safety Section				
Personnel screened on entry to building	277 500	295 200	257 557	376 300
Parcels inspected and x-rayed	81 793	82 140	48 172	75 800

	1999 actual	*2000 estimates (A 54 518)*	*2000 actual (as of 31 July 2000)*	*2001 projected*
Visitor badges issued	12 421	14 520	11 383	18 300
Finance Section				
Payroll calculations (monthly)	845	1 100	1 119	1 250
Obligations (monthly)	575	750	825	900
Invoices processed (monthly)	1 200	1 600	1 388	1 500
Payments by cashier	1 789	2 100	2 160	2 500
Human Resources Section				
Staffing table	784	862	862	951
Other personnel	200	250	123	300
Applications received	8 074	9 000	5 329	10 000
Offers of appointment	347	400	260	500
Special Service Agreements contracts	641	800	558	800
Conference and Language Support Section				
Translation (pages per year)	60 000	80 000	36 480	80 000
Conference interpreters (days)	3 109	3 800	1 977	4 590
Field interpreters (days)	2 329	5 197	1 881	3 353
Verbatim reporting — French (days)	1 677[a]	2 790[a]	1 320	561[b]
Verbatim reporting — English (days)	374	465	276	561
Electronic Support and Communications Section				
LAN — support requests	5 200	6 500	6 776	8 451
Helpdesk — support requests	35 508	40 500	20 895	57 556
Audio-Visual — support requests	2 331	2 400	1 833	2 950
Communications support requests	1 125	1 403	1 320	2 284
Training — trainee days	1 478	2 700	826	2 000
Procurement Section				
Purchase orders raised	744	770	567	840
General Services and Travel Section				
Travel — Number of PT-8 forms raised	5 201	5 123	3 921	7 500
Building Management — Work orders completed	2 200	1 935	3 786	6 022
Graphics — Requests for reproductions	1 714	2 125	873	1 500
Protocol — Visa/Identity card applications	1 786	3 072	1 772	8 028
Receiving and inspection reports	821	692	617	1 200
Vehicle fleet	69	161	111	132

[a] Includes investigations carried out before trial, during trial and during appeals.
[b] Individuals.
[c] Teams.

Annex VI

Voluntary contributions and Trust Fund activities

1. The General Assembly, in its resolutions 49/242 B of 20 July 1995 and 53/212 of 18 December 1998, invited Member States and other interested parties to make voluntary contributions to the International Tribunal for the Former Yugoslavia that are acceptable to the Secretary-General. To date, cash donations of approximately $30,253,700 have been received for the Voluntary Fund to support the activities of the International Tribunal, established by the Security Council in its resolution 827 (1993) of 25 May 1993. Pledges of a further $2,233,243 and in-kind contributions valued at approximately $1,210,000, excluding the costs of staff and experts on loan from Governments, international organizations and institutions, have also been made. For the period from 1 October 1999 to 30 September 2000, the Tribunal received approximately $9,964,473 in voluntary cash contributions.

2. Until the end of 1999, the Tribunal continued to benefit from the essential services of type II gratis personnel with expertise in fields for which human resources are not readily available within the United Nations system. The events in Kosovo during 1999 required urgent action and, as a result, the Secretary-General, exceptionally, approved a request by the Prosecutor to accept gratis personnel on a short-term basis not exceeding six months. A total of 386 gratis personnel (a total of 340 work months) were assigned to the Tribunal from Austria, Belgium, Canada, Denmark, France, Germany, Iceland, Luxembourg, Netherlands, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. This benefit to the Tribunal was estimated at a value of $1,766,402 on the basis of United Nations gross standard costs.

3. In 2000, gratis personnel were again requested by the Prosecutor to assist the Tribunal to complete work in Kosovo and once again were exceptionally approved on a short-term basis, not exceeding six months, by the Secretary-General. Several States have entered into formal agreements with the United Nations to make national experts available to the Tribunal during 2000. Agreements have been signed with Canada, Sweden, Austria and France. The full value of personnel is not yet available.

4. As at 30 September 2000, 41 interns were participating in the Tribunal's internship programme in the areas of criminal law, international humanitarian law, computer operations support and translation. The interns were assigned to the Office of the Prosecutor, the Chambers and the Registry, and provide additional support in their area of expertise.

5. Voluntary contributions have been utilized for activities related to supporting the Tribunal's prosecution and investigation activities (such as the exhumation project and operations in Kosovo); to review cases through the rules of the road project; to assist victims and witnesses; and to procure equipment, books and periodicals for the library. The status of voluntary cash contributions to support the activities of the Tribunal, as at 30 September 2000, follows:

Cash contributions to the Voluntary Fund, by contributor, as at 30 September 2000

(In United States dollars)

From inception to 30 September 1999	20 289 224
For the period from 1 October 1999 to 30 September 2000	
Belgium	74 892
Canada	204 013
Denmark	50 000
Finland	178 795
Netherlands	425 000
Switzerland	253 000
United Kingdom of Great Britain and Northern Ireland	128 885
United States of America	8 447 691
MacArthur Foundation	200 000
Utrecht University	2 196
Subtotal	**9 964 473**
Total	**30 253 697**

Cash pledges to the Voluntary Fund, by contributor, as at 30 September 2000

(In United States dollars)

European Union	1 387 934
Finland	170 000
Germany	100 000
Luxembourg	23 000
United States of America	552 309
Total	**2 233 243**

6. In-kind contributions received during 2000 were as follows:

(a) *Equipment*. The New Hampshire Criminal Justice Resource Center (United States) donated a second IBM server in early 2000, valued at approximately $960,000, completing the total pledge package of $1.34 million.

(b) *Services*. The United States National Bar Association donated a four-year subscription to Westlaw, an Internet online legal database, and 200 passwords valued at $250,000.

7. The following major activities were funded by cash contributions to the Voluntary Fund during 2000:

(a) Exhumation project. Voluntary funds were used to support over 60 personnel with the necessary equipment and supplies to exhume large-scale mass graves and to analyse the results of these exhumations. The evidence gathered was used towards the prosecution of indictees and to substantiate statements given by witnesses. Funding for exhumations enabled the project to purchase vehicles, computer software, printers, scanners, specialized items such as surveying equipment, refrigerated containers, x-ray machines, communications equipment, including a satellite terminal and telephone/fax machine, and supplies (photographic, x-ray machine, mortuary, autopsy, archaeological and general office supplies). As at 30 June 2000, expenditures of approximately $1,362,200 were recorded;

(b) Rules of the road. The project produced summary translations and indices of the tens of thousands of pages of materials submitted. Funding from donors has enabled work on the "Rules of the road" to continue throughout 1999 and 2000 covering the costs of legal, translation, research and administrative staff for the project. As at 30 June 2000, expenditures of approximately $184,600 were recorded;

(c) Library. The European Commission continued its support to the Tribunal's library, enabling it to further develop its collection of books, legal journals and CD-based information. The acquisition of an electronic information system has enabled access to CD-based media and on-line legal databases. The Carnegie Foundation carried out this project. As at 30 June 2000, expenditures of approximately $56,800 were recorded;

(d) Kosovo operations. Contributions were received through the Voluntary Fund to assist the Tribunal with additional tasks arising from the conflict in Kosovo. The following activities are being funded under Kosovo operations: a Kosovo investigative team, a workload backfill project, a document exploitation project, assistance to local prosecutions and administrative, financial and interpretative support staff for the Kosovo Operations. As at 30 June 2000, expenditures of approximately $1,629,900 were recorded;

(e) Outreach. Commencing in September 1999, the outreach programme has focused its efforts on improving the external perception of the Tribunal, in particular the activities of the Tribunal and the Chambers, and on more clearly communicating about these activities to the peoples of the former Yugoslavia. Voluntary contributions continued to assist the project with start-up costs, such as the hiring of staff, the purchase of a vehicle for the field, general operating costs and production and promotional costs. As at 30 June 2000, expenditures of approximately $477,500 were recorded;

(f) Office of the Prosecutor arrest initiative. A contribution from the Government of Switzerland made it possible for the recruitment of a professional political officer to provide additional support to the Prosecutor in her efforts to persuade Governments to arrest persons indicted for war crimes;

(g) Other activities. Other activities included the employment of one person to investigate demographic changes in Bosnia and Herzegovina and witness support services, including purchase of a vehicle for witness transport, medical services for witnesses, clothing for witnesses and language training of staff. Victims and Witnesses Section. As at 30 June 2000, expenditures of approximately $189,500 were recorded.

Annex VII

Summary of follow-up action taken to implement relevant recommendations of the internal and external oversight bodies and the Advisory Committee on Administrative and Budgetary Questions

Brief description of the recommendation	*Action taken to implement the recommendation*
Board of Auditors (A/55/5/Add.12, annex)	
The Board recommends that the Tribunal disclose the liabilities for end-of-service benefits, post-retirement benefits and annual leave in its financial statements in compliance with United Nations System Accounting Standards. (para. 13)	Until the decision was taken by the General Assembly to publish separate financial statements for the Tribunal, the Tribunal accounts were incorporated into the financial report and audited financial statements of the Board of Auditors accounts (see A/53/5 (vol. I)) and the items in question were calculated by and included in those accounts. As the Tribunal is now aware of the new reporting requirements, all of the required information will be provided in compliance with the United Nations System Accounting Standards.
The Board recommends that the Tribunal review its procedures for planning the use of courtrooms to ensure effective use of the available facilities. (para. 27)	The issue of courtroom usage is a complex one that defies easy analysis based on pure numbers. It is also not necessarily an accurate reflection of the workload of the Tribunal. There are multitudes of factors, ranging from witnesses who are unable to appear as scheduled due to health reasons or travel delays, to adjournments requested by various parties, which are beyond the Tribunal's control but result in an unused courtroom. It should also be understood that when a courtroom is not in use, the staff involved perform other required tasks. A major factor in this matter is the limited number of judges in the Tribunal. The need for judges to research and draft their decisions and judgements, the requirement for trial chambers to hear multiple cases and the need for judges to contemporaneously sit in appeal cases all contribute to the phenomenon of unused courtrooms, as illustrated in the report of the President to the Secretary-General dated 12 May 2000 (A/55/382).
The Board recommends that the Tribunal review its legal aid system with the aim of establishing tighter controls and limits over defence costs. (para. 38)	The Tribunal's legal aid system has been reviewed in detail. A draft for substantial amendments of the Directive on Assignment of Defence Counsel has been prepared and is awaiting comments by the judges. The Registry practice related to legal aid, and in particular the practice regarding allotments of maximum working hours for defence teams, has also been reviewed and a second

Brief description of the recommendation	*Action taken to implement the recommendation*
	amendment proposal has been circulated to the judges for their comments. The implementation of both the Directive and the related change in Registry practice can be expected to take effect within 2000. The responsibility for overseeing the implementation of this recommendation belongs to the Deputy Registrar.
Office of Internal Oversight Services (A/54/120)	
Outstanding obligations. OIOS recommends that the Registry regularly review outstanding obligations and imposes deadlines for responses by certifying officers. (para. 55 (c), recommendation No. CS/98/115/03)	Implemented. The Registry has taken steps to require certifying officers to review outstanding obligations quarterly. Each certifying officer is expected to actively respond on a pre-formatted letter stating those obligations, which should be liquidated.
OIOS recommends that (i) the investigative teams in the field be in regular contact with the field offices, (ii) that communications between Headquarters and the field offices be improved, and (iii) that evidence storage be upgraded at the field offices. (para. 56 (a), recommendation No. CS/98/115/11)	Implemented. The Tribunal has taken steps to increase the level of communications available at all levels of activity — including field to headquarters, field to field offices and field offices to headquarters. This has been effected through increased investment in mobile radios, mobile telephones and satellite telephones along with more practical training given by officers of the Communications Unit in Electronic Support Services.
OIOS further recommends that senior management of OTP consider increasing their participation in key meetings of the Tribunal's legal staff. (para. 56 (b), recommendation No. CS/98/115/12)	Implemented. The Chief of Prosecutions has instigated a review of meetings with the Legal Staff of the Office of the Prosecutor, including those involved directly in prosecuting cases and those advising Investigations Teams. In addition the Prosecutor has taken an active part in periodic reviews of all indictments in preparation.
Report of the Expert Group (A/54/634)	
In order to reduce delays caused by preliminary motions filed when an amended indictment includes new charges, the period of time given under rule 50 for filing such motions should be considered as a maximum, which could be shortened at the discretion of the Trial Chamber if it believes the circumstances so permit or require. (Recommendation 1)	This practice will be followed. Other related matters, such as how to proceed expeditiously with interlocutory appeals, will be discussed during a plenary session that will be dedicated to discussing rule modifications.
In order to eliminate the difficulties that result from disqualification from trials of judges of Trial Chambers who confirm indictments, further consideration should be given to the view that confirmation of an indictment automatically results in disqualification of the confirming judge. (Recommendation 2)	The recommended measure was adopted during the last plenary session in November 1999. Rule 15 "Disqualification of Judges" was modified accordingly.

Brief description of the recommendation	*Action taken to implement the recommendation*
In order to reduce unduly long pre-trial detentions, the Tribunal might wish to consider whether the right of an accused who had voluntarily surrendered to be tried in person is waivable by the accused following his initial appearance and, if so, consider a consequent rule that would provide for provisional release if the Trial Chamber were satisfied that: (a) The accused had freely and knowingly consented to trial in absentia; (b) The personal circumstances of the accused, including character and integrity, as well as State guarantees for his appearance and other appropriate conditions were such that the likelihood of his not appearing for trial were minimal; and (c) Defence counsel gave a solemn commitment binding themselves to participate in a trial in absentia, should one occur. (Recommendation 3)	Rule 65B (B) "Provisional release" was modified during the last plenary session in November 1999 in order to make the provisional release of accused possible in other than exceptional circumstances. Nonetheless, in those cases in which no guarantee is given by the relevant State, a release will not be granted.
In order to facilitate a subsequent trial, the rule 61 proceeding might be amended to permit evidence produced at such a proceeding by the Prosecution to be utilized at a subsequent trial following the arrest of the accused if at the time of that trial the witness has died, could not be found, was incapable of giving evidence or could not be procured without an amount of delay, expense or inconvenience which, under the circumstances of the case, would be unreasonable; moreover, to protect the interest of the accused, counsel could be assigned to represent the accused during the rule 61 proceeding. (Recommendation 4 (a))	This recommendation will be examined during a plenary session.
Alternatively, in order to avoid the disqualification of the entire rule 61 Chamber and to shorten the proceedings, the rule 61 proceedings could be amended to vest in the confirming judge alone the power, upon application by the Prosecutor and on satisfaction of the judge, to issue an international arrest warrant and order the freezing of the assets of the accused. (Recommendation 4 (b))	A proposal for a rule modification will be submitted to a plenary session.

Brief description of the recommendation	*Action taken to implement the recommendation*
In order to reduce the potential for obstructive and dilatory tactics by assigned defence counsel, the amount of legal fees allowed might properly take into account delays in pre-trial and trial proceedings deemed to have clearly been caused by such tactics; though this is not to recommend that the Chambers become enmeshed in all the details of remuneration of assigned counsel, but rather that they simply exercise an oversight function. (Recommendation 5)	The practice is rejected by Chambers and Registry and, in addition, by representatives of Defence Counsel on legal grounds. The Prosecutor however would welcome the practice.
In order to curtail excessive motions, the Chambers might: • Consider a rule requiring that, before any motion is presented, it first be discussed between the prosecution and the defence, between themselves, with a view to resolving the matter by agreement; • Consider requiring that, unless otherwise ordered by the Trial Chamber, motions be made and responded to orally. (Recommendation 6, first and last points)	The practice of requesting parties to first discuss a question in dispute before filing a motion has been followed in the past and will continue to be implemented by judges. Decisions are given orally by judges when the legal issue is not complicated, and Chambers will endeavour to ensure that this practice is followed uniformly. It is the view of the Prosecutor that before the trial has started, it is at the discretion of the Trial Chamber as to whether motions should be written or presented orally. However, once the trial has started, she concurs with the practice recommended above, that motions should be presented orally to the Chamber, and should be ruled upon by the bench. Thereafter, the Prosecutor suggests that any further consideration of the issues should be reserved for the appeal stage, without further delaying the trial proceedings.
Consider the so-called "rocket docket" techniques utilized by the United States District Court for the Eastern District of Virginia to move cases expeditiously; Consider adopting for use by the Tribunal and the International Criminal Tribunal for Rwanda the "omnibus hearing" process for managing motions before trial. (Recommendation 6, second and third points)	These recommendations are under consideration and will be reviewed by the Rules Committee.
In order to expedite trials, the Trial Chamber might accelerate and make general the practice of forcefully utilizing existing rules dealing with the presentation of evidence or promulgate and implement further rules to assert greater control over the proceedings, including adjournments, while protecting the legitimate interests of the accused. (Recommendation 7)	These issues were discussed during the July 1999 plenary session, resulting in the adoption of rule 65 ter "Pre-trial Judge" at the last plenary session, in November 1999.

Brief description of the recommendation	*Action taken to implement the recommendation*
In order to further expedite trials, the functions currently assigned to the pre-trial judge to try to reach agreement between the parties on the conduct of the trial might be expanded into a more interventionist role, inter alia, including authority to act for the Trial Chamber under the Tribunal rule 65 ter (D) and making a pre-trial report to the other judges with recommendations for a pre-trial order establishing a reasonable format in which the case is to proceed. (Recommendation 9)	The Prosecutor supports the practices recommended here, subject to the following caveats. Firstly, it is the view of the Prosecutor that Chambers should not exercise control over proceedings to such an extent that they may appear to have predetermined the matter before hearing all relevant evidence. Secondly, if the methods used to expedite trials result in a requirement for elaborate written pleadings or documentary evidence, then it is possible that the delays are not eliminated, but simply transferred to the pre-trial stage.
To help in eliminating the need for the introduction of potentially massive amounts of evidence, judges might require that, when there is no apparent dispute as to certain facts, the party declining to so stipulate, explain why. (Recommendation 10)	The Prosecutor considers that the key to reducing the length of trials is that the judges should be fully informed in advance about the case. In order to manage the proceedings efficiently they should have the benefit of a complete dossier of evidence. On this basis, in agreement with the parties, the judges are then well placed to decide which witnesses need to be heard and which evidence can be admitted in writing or agreed by other means.
In connection with the objective noted in Recommendation 7, in attempting to control the presentation of witness testimony, the Trial Chambers might consider, to the extent not currently in practice, permitting offers of proof to protect the rights of a party whose evidence is excluded. (Recommendation 8)	Judges do ensure that parties are treated equally, and further, the judges permit offers of proof to protect the rights of the party whose evidence is excluded in accordance with rule 73 bis (D) and rule 75 ter.
Further consideration should be given to greater use of judicial notice in a manner that fairly protects the rights of the accused and at the same time reduces or eliminates the need for identical repetitive testimony and exhibits in successive cases. (Recommendation 11)	As more appeal judgements are issued, greater use of judicial notice is made possible. According to rule 94, judges may decide, *proprio motu*, or at the request of parties to take judicial notice of adjudicated facts or documentary evidence from other proceedings of the Tribunal relating to matters at issue in the current proceedings. A Chamber can reserve its legal findings of the adjudicated historical, geographical, administrative and military context until the end of the trial. This practice has been successful thus far in producing concrete results.
In order to reduce the length of trials, Trial Chambers might consider: • The use of prepared testimony, i.e., written testimony submitted in advance in question-and-answer form, with an opportunity given to the other party later to object to question, and the witness being later made available for cross-examination; and/or	In principle, all parties agree with the underlying rationale of utilizing prepared testimony. This practice is being implemented already in several cases. Parties highlight parts of a witness statement that is in dispute in order to cross-examine the witness on this particular point. This recommendation would also lessen the workload and costs of the Victims and Witnesses Section. However, the second part of this recommendation is partly rejected. According to rule 73 bis "Pre-trial conference",

Brief description of the recommendation	*Action taken to implement the recommendation*
• The preparation of a dossier by the prosecution containing witness statements, with comments by the defence, to enable the Trial Chamber to select relevant witnesses for oral testimony and to admit certain witness statements as documentary evidence. (Recommendation 12)	the Chamber receives the file from the pre-trial judge. If the Chamber considers that an excessive number of witnesses are being called to prove the same facts, the judges may then call upon the Prosecutor or the defence counsel to shorten the estimated length of the examination-in-chief for particular witnesses, or to reduce the number of witnesses. Furthermore, after consultation with the parties, Chambers may accept depositions of witnesses taken by a presiding officer in accordance with rule 71 "Depositions". The Tribunal agrees that only parties should decide which witnesses are to be called and is of the opinion that the use of the word "select" (12 (b)) is perhaps inappropriate (with the exception of instances where rule 98 is applied). Judges may request the Office of the Prosecutor and the defence to submit a list of their most relevant witnesses for approval. It is, nonetheless, the prerogative of the defence and the prosecution to bring their "best" witnesses from this list. The Prosecutor would like to express her support for the practice of utilizing prepared testimony the same caveats stated in relation to recommendations 7, 9 and 10 of the Expert Group.
In order to expedite the trial and enable the Trial Chamber to focus on the real issues, it might: • Require counsel for the accused, following disclosure by the prosecution of its case to the defence, to describe in general terms the nature of the defence, indicating the matters on which she/he takes issue with the prosecution and stating the reasons in relation to each. This course would also simplify the prosecution's duty to make disclosure, which at present calls for prosecution guesswork, and can thereby cause trial delay as well as the incidence of unnecessary prosecution time and expenditure; • Require counsel for the accused, when cross-examining witnesses able to give evidence relevant to the defence, to inform them of the nature of the defence if it is in contradiction of their evidence. (Recommendation 13)	The proposed practice was accepted by the last plenary session, held in November 1999, and is now incorporated within rule 65 ter, and rule 90 H (ii) of the Rules of Evidence and Procedure (Rev.17).

Brief description of the recommendation	*Action taken to implement the recommendation*
As is the consensus among the Tribunal and International Criminal Tribunal for Rwanda judges, the major objectives of the Security Council would be fulfilled and the resolve of the international community demonstrated if civilian, military and paramilitary leaders were brought to trial rather than minor perpetrators. (Recommendation 14)	All entities that operate within the Tribunal are in agreement with the principle that the interests of justice, and the effective fulfilment of the mandate of the Tribunal demands that civilian, military and paramilitary leaders are tried before the Tribunal in preference to minor perpetrators. All efforts are being made to bring the indictees in the higher echelons of responsibility before the Tribunal, and resources are being allocated accordingly to achieve this. The success of the Tribunal in this regard is, of course, dependent on the cooperation of States and international organizations.
In order to increase awareness of the role of the International Tribunals in protecting and enhancing humanitarian values, the Tribunals should continue their outreach programmes. (Recommendation 15)	The Tribunal recognizes the vital role that the outreach programme plays in disseminating information regarding the role of the Tribunal in establishing the rule of law and eradicating the pervasive atmosphere of impunity in the former Yugoslavia. It should be noted that the outreach programme became operative in the fall of 1999. It is expected that the outreach programme will be continued in 2001 by voluntary contributions.
In order to eliminate baseless appeals and conserve time that would otherwise have been devoted to them by the parties and the Chambers, the Chambers might establish a preliminary screening mechanism to verify that they satisfy the grounds for appeal specified in the rules; Alternatively, either party might consider filing motions for summary dismissal in cases where it clearly appears that the appeal is frivolous, such motions to be considered expeditiously by the Appeals Chamber. (Recommendation 17 (a) and (b))	The Tribunal agrees with this recommendation, and the modus operandi of implementation will be discussed further during a plenary session.
In order to ensure that appeals from the Tribunal and International Criminal Tribunal for Rwanda Appeals Chambers are considered only by Appeals Chamber judges, to immunize Appeals Chamber judges from being disqualified from hearing appeals through becoming connected with trials and to prevent the loss of insulation owing to judges being intermingled between the Trial and Appeals Chambers, judges should be assigned exclusively to the Trial Chambers or the Appeals Chamber for the entire term. (Recommendation 18)	The Tribunal agrees with this recommendation in principle. In the past, it was not possible to maintain a stable composition of the Appeals Chambers due to the problem, inter alia, of contamination as a confirming judge. The modification of rule 15 "Disqualification of Judges" (Recommendation 2 of the Expert Group) will, to a large extent, contribute to more stability within the Appeals Chamber. However, it will not be possible to re-schedule the trials and appeals to entirely effect this recommendation until such time that the Tribunal is allocated more judges.

Brief description of the recommendation	*Action taken to implement the recommendation*
In order to facilitate the work of the judges of the Trials and Appeals Chambers, legal staff assistance to the judges should be increased in terms of the budget proposals for 2000. (Recommendation 19)	The relevant budget proposals to this effect have been approved, and recruitment is currently being undertaken.
In order to increase the work capacity of the Appeals Chamber, two further judges and the associated additional staff that would be required should be added to that Chamber, although this result might not lead to as satisfactory a result as the permanent separation of the Appeals Chamber. (Recommendation 20)	The Tribunal would require a Security Council resolution to alter article 12 of the Statute, which stipulates the number of judges and the composition of Chambers. In the event that this occurs, the Tribunal will endeavour to obtain the necessary funding for two further judges and their attendant staff from the General Assembly. In addition, Chambers notes that if the Tribunal is allocated two further judges, the current quorum of five judges for the Appeals Chamber should not be increased.
In order to meet the need for more judges to deal with the increased workload, the use of temporary ad hoc judges might be favourably considered if it remains the only practical solution for expediting completing of the Tribunals' missions. (Recommendation 21)	If, after exhausting the current resources, the use of ad hoc, or rather, ad litem judges were considered to be the most practical solution for expediting the completion of trials, then the Tribunal would support this recommendation. It has been suggested that past judges of the Tribunal, who voluntarily retired, could be appropriate candidates. In addition, consideration may be given to creating a category of judges who will be seized of all pre-trial proceedings to enable the Trial judges to concentrate on hearing the trials.
On the long-term question of enforcement of sentences, in order to accommodate the potential number of convicts, it would be advisable for arrangements to be concluded with as many additional States as would be required to accommodate the total number of indictees, including individuals accused in sealed indictments. (Recommendation 22)	The Tribunal has concluded agreements on the enforcement of sentences with six States and is waiting for the signature of a further agreement, which should occur in the next couple of weeks. The Registry has always recognized the need to conclude as many agreements as possible and is currently in the process of finalizing agreements that are being negotiated with several other States. In the past, the President and the Prosecutor have endeavoured to raise the consciousness of States as to the necessity for further agreements on the enforcement of sentences to be concluded on their diplomatic visits to these States or during meetings with Government representatives at the seat of the Tribunal. These endeavours will continue.
In order to avoid waste of resources and to maximize the impact of investigations, the policy of the Prosecutor should be continued to conduct investigations only where she has a high level of confidence that enough evidence will be available to support an indictment. (Recommendation 24)	The Office of the Prosecutor completely concurs with this recommendation, and will continue to conduct its investigations according to this policy. It is currently the practice of the Prosecutor to sign a document formally authorizing the commencement of a new investigation, and later to sign a further document formally authorizing the preparation of an indictment. This is to ensure the

Brief description of the recommendation	*Action taken to implement the recommendation*
	viability of an investigation before committing resources to it.
In order to reduce post-indictment investigations, a case should be "trial-ready" at the stage that the indictment is confirmed and, absent exceptional circumstances, post-indictment investigations should be limited. (Recommendation 26)	The Office of the Prosecutor agrees that a case should be "trial-ready" at the stage that the indictment is confirmed; they have operated and they continue to operate in accordance with this principle. The Prosecutor accepts that at some point, the evidence-gathering exercise has to end to enable the accused to know the case that he is expected to meet. However, the recommendation is excessive in seeking to limit post-indictment investigations to "exceptional circumstances". It is neither practical nor in the interests of justice to cease investigations after the indictment has been confirmed, as the complexity of the cases necessitates the continuation of investigations and experience has shown that important information is often obtained in the latter stages of the investigation. It is the view of Chambers that the phrase "trial-ready" should be construed to emphasize the readiness of the case itself to commence rather than the readiness of the individual parties.
The Tribunal should consider the appointment of a rule similar to rule 44 bis of the International Criminal Tribunal for Rwanda which creates a category of duty counsel having the qualifications needed to be appointed as assigned Counsel and situated within reasonable proximity to the Detention Facility and the seat of the Tribunal. (Recommendation 28)	The Registry can certainly submit a request to the Rules Committee to consider adopting such a provision. It should be noted, however, that in the experience of the Tribunal there have never been any difficulties in finding a Counsel to represent an accused at extremely short notice.
In order to help the Victims and Witnesses Section in controlling witness expenditures to the extent possible: The Registrar should be consulted regarding witness arrangements whenever trial adjournments or schedule changes are under consideration. (Recommendation 30, first point)	The Tribunal agrees that the Registrar should be consulted regarding the above witness arrangements. However, the Registry can not always be accurately informed of up-to-the-minute witness arrangements, as it is not always possible to foresee instances such as witnesses falling ill, or being required to provide lengthy testimony. As a result of this unpredictability, it is not feasible to expect the Registry to be able to prevent the delay ensuing from these instances.
In order to enforce the observance of Detention Unit rules by Defence Counsel: The Commander of the Detention Unit should report promptly to the President and the Registrar incidents of misconduct by defence counsel; (Recommendation 31, first point)	If there is any misconduct in the Detention Unit, it is the usual practice that this is reported to the Registrar, who in turn reports it to the President if this misconduct is of a serious nature. It has always been the stance of the Registry that such misconduct should be investigated and, in practice, it is in fact investigated.

Brief description of the recommendation	*Action taken to implement the recommendation*
Such reports, as well as alleged abuse of Registry personnel by defence counsel, should be promptly investigated by the Registrar, and, as appropriate, referred to the Tribunal or dealt with directly by the Registrar. (Recommendation 31, second point)	This recommendation will be discussed during a plenary session. A rule amendment proposal to allow the Registrar to enforce the Code of Conduct of the Tribunal was submitted to the Rules Committee. Under the current rules, the Registrar does not have the power to deal, *proprio motu*, with the misconduct of counsel, nor to impose disciplinary measures. The Registrar may, however, report the misconduct to the President and request the President to take action.
Where misconduct is found, the President should report the matter to the appropriate national authority and order removal of the defence counsel from the list of approved defence counsel. (Recommendation 31, third point)	The President is currently vested with the discretion to grant approval to a judge or Chamber to report misconduct to the appropriate national authority, in accordance with rule 46 of the Rules of Evidence and Procedure. Furthermore, the Tribunal considers the recommendation that the President orders the removal of the defence counsel from the list to be unwarranted, since according to article 20 (B) of the Directive of the Assignment of Defence Counsel, the Registrar is authorized to withdraw the assignment of counsel and to strike the counsel off the list of defence counsel, provided that there has first been a decision by a Chamber to refuse audience to assigned counsel for misconduct under rule 46 (A).
In order to further the legitimate law enforcement requirements of the Prosecutor, once she shows reasonable grounds under rule 66 of the Detention Rules for cooperative assistance, such assistance should be forthcoming from the Registrar without delay in accordance with the decision of the President referred to in paragraph 198 of the report (A/54/634) or the matter should immediately be referred to either the President or the Trial Chamber as provided for in that decision. (Recommendation 32)	It is the opinion of the Registry that the reasonableness of the grounds under which the Prosecutor is seeking cooperation should be assessed by a court properly constituted to weigh up the interests of the Prosecutor against the interests of the detainee, not by Prosecutor herself or the Registry.
Procedures should be studied for short-term provisional release of detainees to provide for emergencies such as funeral arrangements or the terminal illness of a close relative under conditions of adequate guarantees from the detainee's country governing removal and return to detention. (Recommendation 33)	The Tribunal has devised draft rulings delineating a number of conditions for provisional release so that, in an emergency situation, the accused can be released within a day provided, of course, that the relevant member States are fully cooperating. The latest short-term provisional release of an accused was granted and carried out in accordance with this procedure.

Brief description of the recommendation	*Action taken to implement the recommendation*
Because of the significant amounts paid to assigned counsel and their key role in the statutory scheme of both Tribunals, the issue whether remuneration levels are too high or too low deserves careful attention. Moreover, all possible methodologies for determining the amounts of payments to counsel should be considered. (Recommendation 34)	The Registry is currently in the process of reforming the remuneration system to firstly, facilitate the associated administrative work, and secondly, recognize that the defence counsel are essentially independent contractors. All possible methodologies are being considered in consultation with the Advisory Panel, which is constituted by representatives from, inter alia, various international bar associations.
In order to ensure that the qualifications required of Counsel to be eligible to be assigned as defence counsel are appropriate, the Tribunal standards for defence counsel should be brought more in line with those of the International Criminal Tribunal for Rwanda, and in both cases elevated to require at least five years of criminal trial experience. (Recommendation 35)	The Registry has submitted a rule amendment to the Rules Committee to impose a further requirement that the defence counsel should have reasonable experience.
In order to better ensure accuracy and care in the preparation of claims by defence counsel for defence costs, each assigned counsel might be required to certify to the relevant Chamber as to the accuracy of and their entitlement to the payments claimed. (Recommendation 36)	The Tribunal submits that it is not necessary to implement this recommendation, since the Registry already requests detailed billing reports that are thoroughly scrutinized, and in some cases, the billing reports are negotiated and the payments claimed are accordingly reduced. Moreover, the Registry can verify these billing reports by checking the attendance of defence counsel at Court sessions, and whether the counsel have submitted the documents, motions, or briefs required by the relevant Chamber.
In order to resolve the problems resulting from Counsel appearing before the Tribunals who are unfamiliar with them and their procedures, with resulting delay and inefficiencies in Tribunal proceedings, training programmes should be developed dealing with the rudiments of Tribunal practice. (Recommendation 37)	This recommendation coincides with the training programme that the Tribunal is currently in the process of setting up with money received from a sponsor, which is scheduled to commence in the near future. The Tribunal conducted a similar training programme for defence counsel in 1995 and 1996, sponsored by a non-governmental organization, which was very successful. The Tribunal is also contemplating giving assistance to the establishment of training programmes for jurists in the former Yugoslavia to instruct them on the proper application of international humanitarian law.
In order to reduce the costs and delay associated with changes of assigned Counsel, the requirement that a change of counsel will be permitted only on a showing of exceptional circumstances should be adhered to, especially if there is any indication that a motion to change counsel is in any way related to efforts by the accused to improve on existing financial arrangements. (Recommendation 38)	This recommendation reflects the current practice of the Tribunal.

Brief description of the recommendation	*Action taken to implement the recommendation*
In view of the extensive research needed by the judges, the prosecution and the defence for their work, the Library and Reference Unit plays a key role and should have the necessary resources. (Recommendation 40)	The Tribunal fully concurs with this recommendation, and it will continue its endeavours to obtain further funding for the necessary resources of the Library and Reference Unit.
To ensure that the Conference and Language Support Section of the Registry better contribute to the effective functioning of both the Chambers and the Office of the Prosecutor, it is essential that required resources be provided and that priorities be adhered to in the translation of documents. (Recommendation 41)	Tribunal agrees with this recommendation. The Conference and Language Support Section currently prioritized its work according to the greatest need and if it cannot cope with the workload, arrangements are made to translate the documents externally. This of course depends on the nature of the documents, as confidential documents must be translated in-house. The Tribunal also acknowledges that there is scope to formulate methods to utilize the resources of the Translation Unit more effectively. Therefore, the Working Group on Judicial Practices is addressing this issue. The Prosecutor considers this to be a key recommendation and wishes to stress that far greater resources are required in this area.
In order to give the Chambers powers of supervision and control over their own judicial assistants and secretaries, their internal administrative matters, and budget proposals relating to the Chambers: The current system for the selection of judicial assistants, in which the judges have the decisive voice, should be continued. (Recommendation 43, first point)	The Tribunal agrees that the current system for the selection of judicial assistants, in which the judges have the decisive voice, should be continued.
Since the judicial assistants and the secretaries work for the judges under their direct control and supervision, the judges should be responsible for, and sign their performance evaluations. (Recommendation 43, second point)	The Tribunal agrees that judges should be responsible for and sign the performance evaluations of their judicial assistants and secretaries. This has been implemented.
The judges should be entitled to submit to the General Assembly budget proposals, which they feel satisfy their needs. (Recommendation 43, third point) Each President, as the senior official of the respective Tribunal, should feel free to transmit proposals on the entire Tribunal budget to the Registrar, without prejudice to the authority of the latter to submit to the Secretary-General the overall budget proposals for the Tribunal as a whole. (Recommendation 43, fourth point)	The Registrar notes that the President and the judges will, in the current year, be more actively involved in the submission of budget proposals for inclusion in the report of the Secretary-General to the General Assembly, and that they have been invited to do so in the past.

Brief description of the recommendation	*Action taken to implement the recommendation*
The Secretary-General might appropriately issue a revised delegation of authority or an administrative instruction realigning to the Bureau of Chambers control over their internal administrative matters. (Recommendation 43, fifth point)	It is the view of the Registry that vesting the Bureau of Chambers with authority over their internal administrative matters might conflict with article 17 of the Statute, rule 33 of the Rules of Procedure and Evidence, as well as the Financial Rules and Regulations. The accountability of the Tribunal to the General Assembly for all financial and administrative matters rests, according to these rules, with the Registrar.
To avoid disruption of the work of the Office of the Prosecutor through the application of the normal United Nations rules relating to the period of service of interns attached to that Office, consideration should be given to allowing, through an exception to the rules, those interns assigned to trial work to be appointed for a period of one year or the duration of the trial to which they are assigned, whichever is longer. (Recommendation 44)	The Registry, which is responsible for the implementation of the internship programme, strongly disagrees with this recommendation for the following reasons. Firstly, the Office of the Prosecutor would effectively be obtaining gratis personnel, which is a clear violation of the General Assembly policy. If the workload within Office of the Prosecutor is overwhelming, additional posts should be requested. Secondly, it would indirectly contravene the policy of geographical distribution by favouring candidates from wealthy countries or universities that would be more likely to receive sponsorship, or candidates from countries that are proximate to The Hague, for whom the costs of relocating to the Netherlands are not so prohibitive. Thirdly, it would be detrimental to interns that are self-sponsored as they would be unlikely to be able to support themselves for this duration. Furthermore, if self-sponsored candidates indicate when applying that they would not be available for one year or the duration of a trial, this may have the effect of decreasing the likelihood that they will be accepted as interns. Fourthly, if the Expert Group is implying, in paragraph 249 of its report, that the six-month interval before recruitment should be waived for interns in the Office of the Prosecutor, then only the General Assembly can authorize this. Moreover, such a waiver should be applied to all the Tribunal interns not just those of the Office of the Prosecutor.
In order to reduce misperceptions as to the relationship between the Chambers and the Office of the Prosecutor, to increase the efficiency of that Office by giving it control over certain supportive administrative units and to better reflect the independence of the Prosecutor, a realignment of administrative matters, through a re-delegation or administrative instruction, should be considered. (Recommendation 45)	This recommendation is more comprehensively delineated in paragraphs 250 to 252 of the report of the Expert Group, in which it recommended separate administrative staff, a separate translation unit and a separate witness protection unit for the Office of the Prosecutor. **(i) Separate administrative staff** In paragraph 250 of its report (A/54/634), the Expert Group refers to the conflict of interest inherent in the fact that the administrative staff of the Registry service both

Brief description of the recommendation	*Action taken to implement the recommendation*
	the Office of the Prosecutor and the Chambers. Chambers and Registry submit, in response, that, to the extent that a separate administrative unit for the Office of the Prosecutor would require many administrative positions to be duplicated, the current size and workload of the Tribunal does not justify the significant increase in the total number of administrative staff that would result. Hence, at this stage, such a move is inadvisable due to the costs related to both the recruitment of additional administrative staff and the resultant physical re-organization of Tribunal offices and facilities. Although the Prosecutor strongly supports the creation of separate administrative staff in principle, she accepts that many administrative areas in the Registry now effectively respond to the needs of the Prosecutor. Furthermore, several staff members in Administration have recently been assigned to work exclusively on matters for the Office of the Prosecutor. **(ii) Separate translation units** In paragraph 251 of its report the Expert Group concurred with the stance of the Prosecutor, that "if both her offices had their own translation units, instead of relying on those of the Registry, the Prosecution would be in an improved position with respect to prioritizing and controlling the fulfilment of its translation needs". It is the view of Chambers and Registry that while providing the Conference and Language Support Section with further resources, as per recommendation 41, could significantly contribute to the efficiency of the Tribunal, the creation of a separate translation unit for the Office of the Prosecutor would be neither an adequate nor an appropriate solution. The ability of the Tribunal to recruit more translators is limited by the scarcity of professional translators who are not only versed in legal vocabulary, but are also familiar with the terminology of, inter alia, ballistic, forensic and military reports. It would therefore be an inefficient allocation of resources to attempt to duplicate these services by establishing a separate translation unit for the Office of the Prosecutor. In terms of the Office of the Prosecutor controlling and prioritizing its own translation needs, the Conference and Language Support Section in practice already designates a certain number of translators to work exclusively for the Prosecution so that these translators can more accurately gauge the priority of the different documents.

Brief description of the recommendation	*Action taken to implement the recommendation*

The Prosecutor is in favour of establishing a completely independent translation service for the Office of the Prosecutor. This is in accordance with the view of the Prosecutor that there are certain translation tasks, involving highly sensitive or confidential sources of information, that require the utmost protection during investigations and should not be done outside of the Office of the Prosecutor.

(iii) Separate staff for the protection and care of witnesses

In paragraph 251 of its report the Expert Group observed that "the Registry's policy of neutrality may lead its representatives to emphasize to witnesses that they have a right not to testify, and this would tend to undermine prior efforts of the Office of the Prosecutor". They therefore conclude that the Office of the Prosecutor's "functions would be aided by having its own personnel to deal, in both Tribunals, with the protection and care of witnesses in pre-trial periods".

The Preparatory Committee for the International Criminal Court extensively considered this issue, and it was concluded in the statute of the International Criminal Court that the victims and witnesses unit should ideally be situated within the neutral framework of the Registry. The Registry therefore considers it to be inadvisable for the Tribunal to adopt a conflicting practice. Furthermore, the creation of a separate victim and witnesses unit for the Office of the Prosecutor would contradict the jurisprudence of the Tribunal, which has treated witnesses as being "witnesses of the Court" with independent rights.

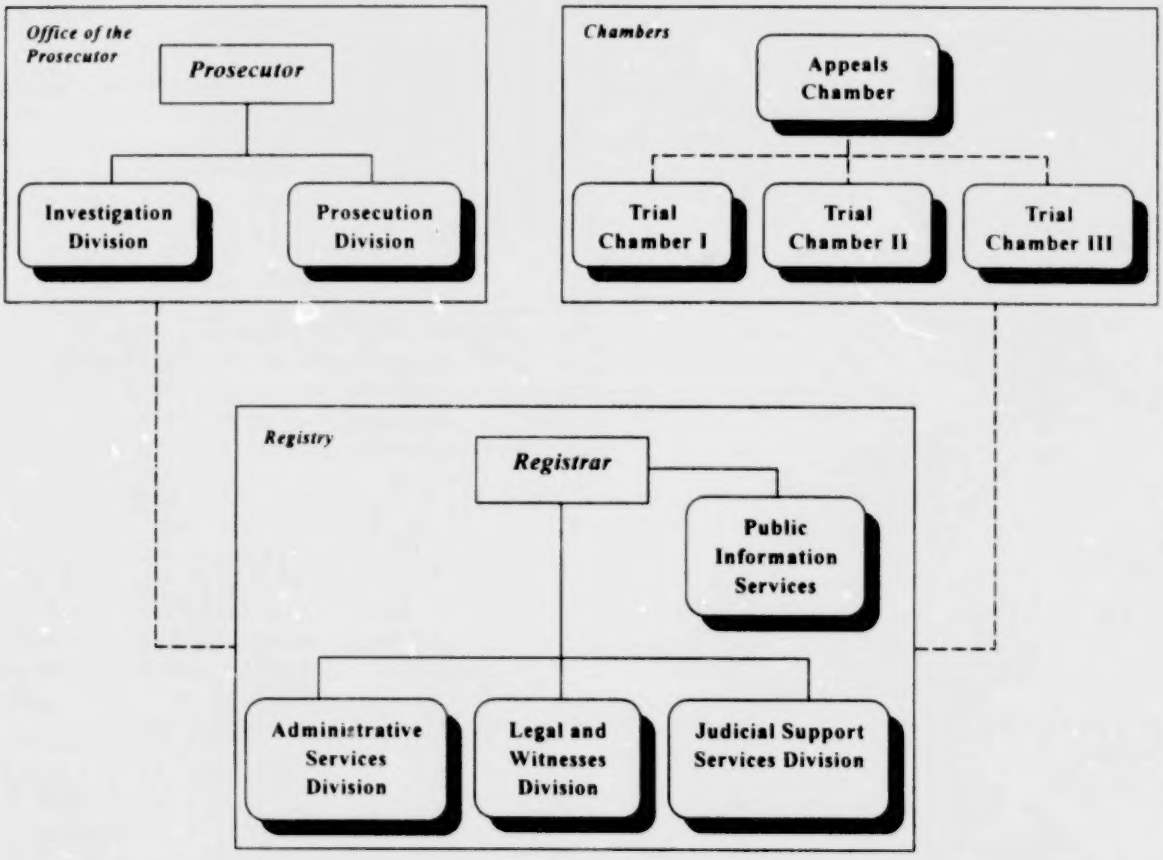
The Prosecutor's view is as follows. At present, the Registry does not have responsibility for the care and protection of witnesses and potential witnesses during the investigation stage. It therefore falls to the investigators and attorneys themselves to contact and make the necessary arrangements for witnesses in the pre-trial stage. Staff is thus diverted from other duties. The Prosecutor therefore advocates the establishment of a small unit within the Investigations Division to handle particularly sensitive witnesses during the pre-trail stage.

Brief description of the recommendation	*Action taken to implement the recommendation*
Advisory Committee on Administrative and Budgetary Questions (A/54/645)	
The Advisory Committee recommends that in the future the performance reports clearly show the actual staff on board, by category of personnel, as compared with the authorized staffing for the related period. (para. 4)	Implemented.
The Advisory Committee requests that, in the future, the overall resource tables show the total miscellaneous income, including interest income, that may have accrued to the Special Account of the Tribunal, with corresponding explanations in the narratives of the report. (para. 12)	The 2001 budget proposals include miscellaneous income from garage operations, but it does not include anticipated future interest income. The financing of the Tribunal now shows actual interest and miscellaneous income realized for the biennium 1998-1999, to be reduced from the 2001 estimated appropriation.
The Advisory Committee requests that the Secretary-General proceed expeditiously with the implementation of the Integrated Management Information System (IMIS) in the Tribunals and includes estimates in the next budget submission in this regard. (para. 75)	At the moment, IMIS operation is not ready for the Tribunals and peacekeeping operations. IMIS priority has been to install the system in offices away from the Headquarters as planned through 2001. The Tribunals and peacekeeping operations are to be considered only after installation in the offices away from Headquarters has been successfully implemented.
The Advisory Committee is of the opinion that an annual audit of the International Tribunal for the Former Yugoslavia may be counter-productive. Accordingly, the Committee recommends that the financial period for the Tribunal be established for two calendar years with a corresponding biennial audit, but with the proviso that an annual budget with an annual assessment will be maintained. The Committee further recommends that audit reports for each Tribunal be produced in separate documents. (para. 76)	The Board of Auditors has advised that, in line with the recommendation of the Advisory Committee, the Board produced separate financial reports and audited financial statements for the biennium 1998-1999 (A/55/5/Add.11 and Add.12). The Board will continue to do so in the future at the end of each biennium. However, in order to ensure adequate audit coverage, the Board will need to visit each Tribunal more than once every two years so as to cover both financial and management issues.

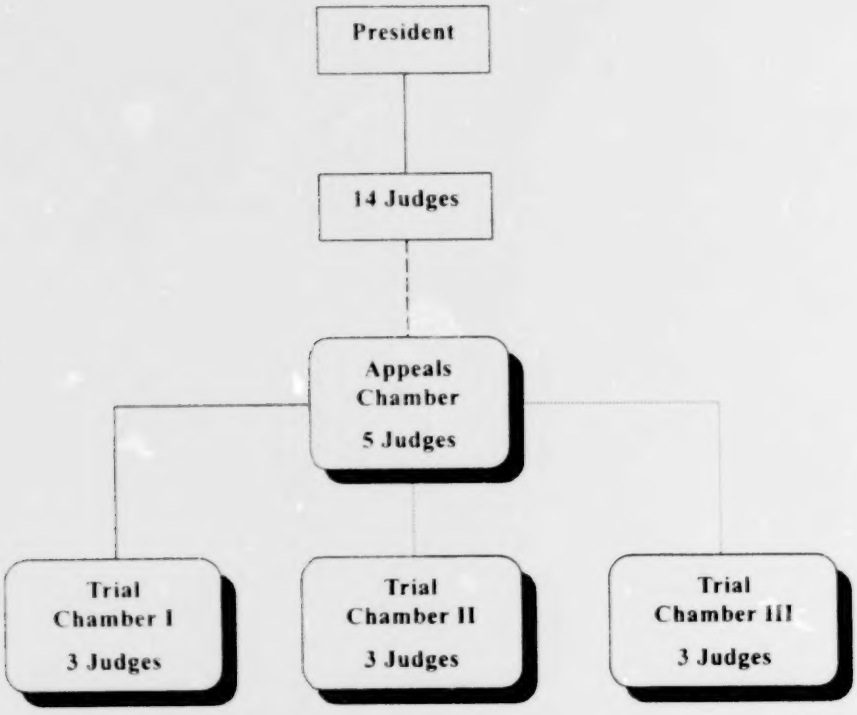
Annex VIII

Organization charts

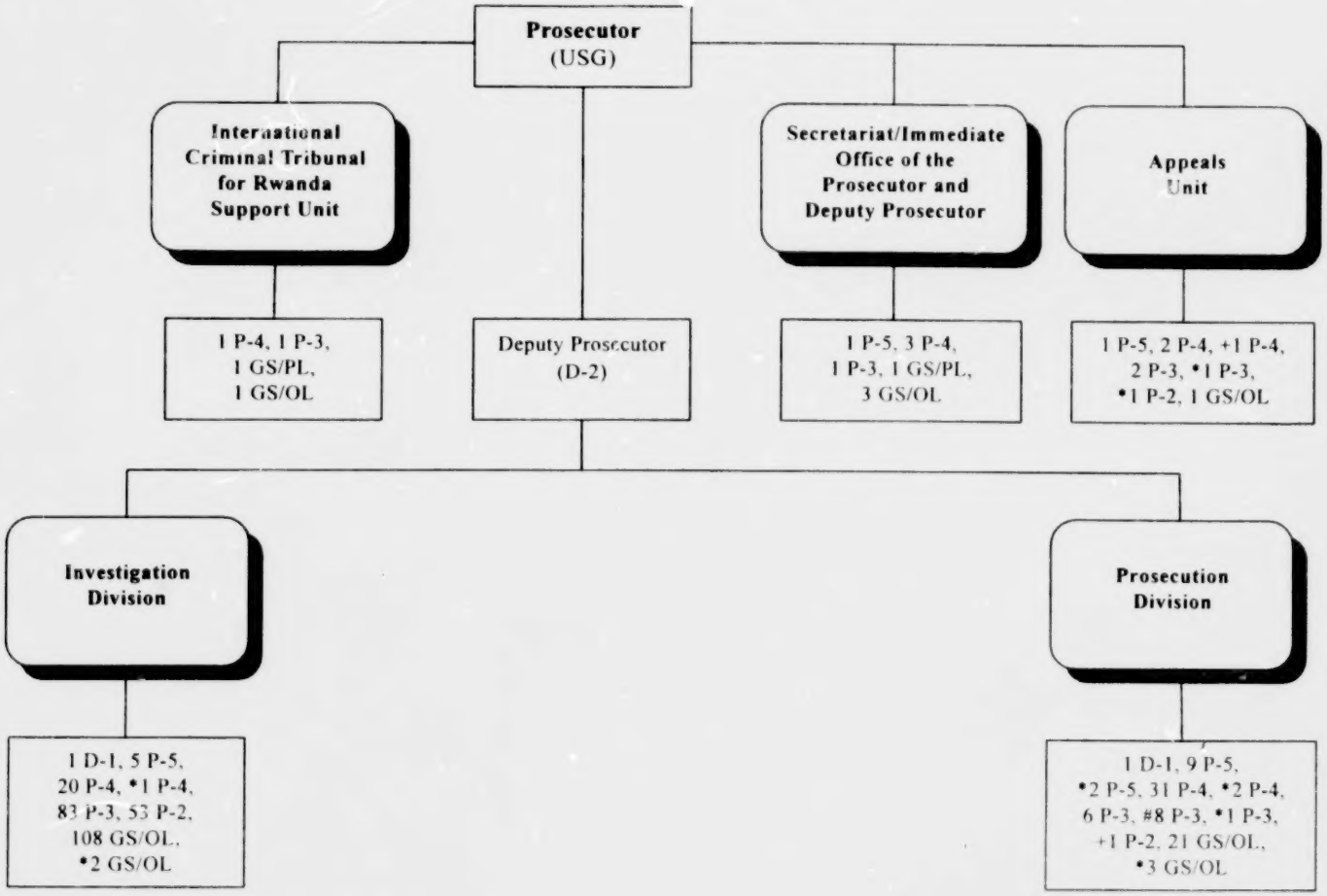
International Tribunal for the Former Yugoslavia



The Chambers: 2001

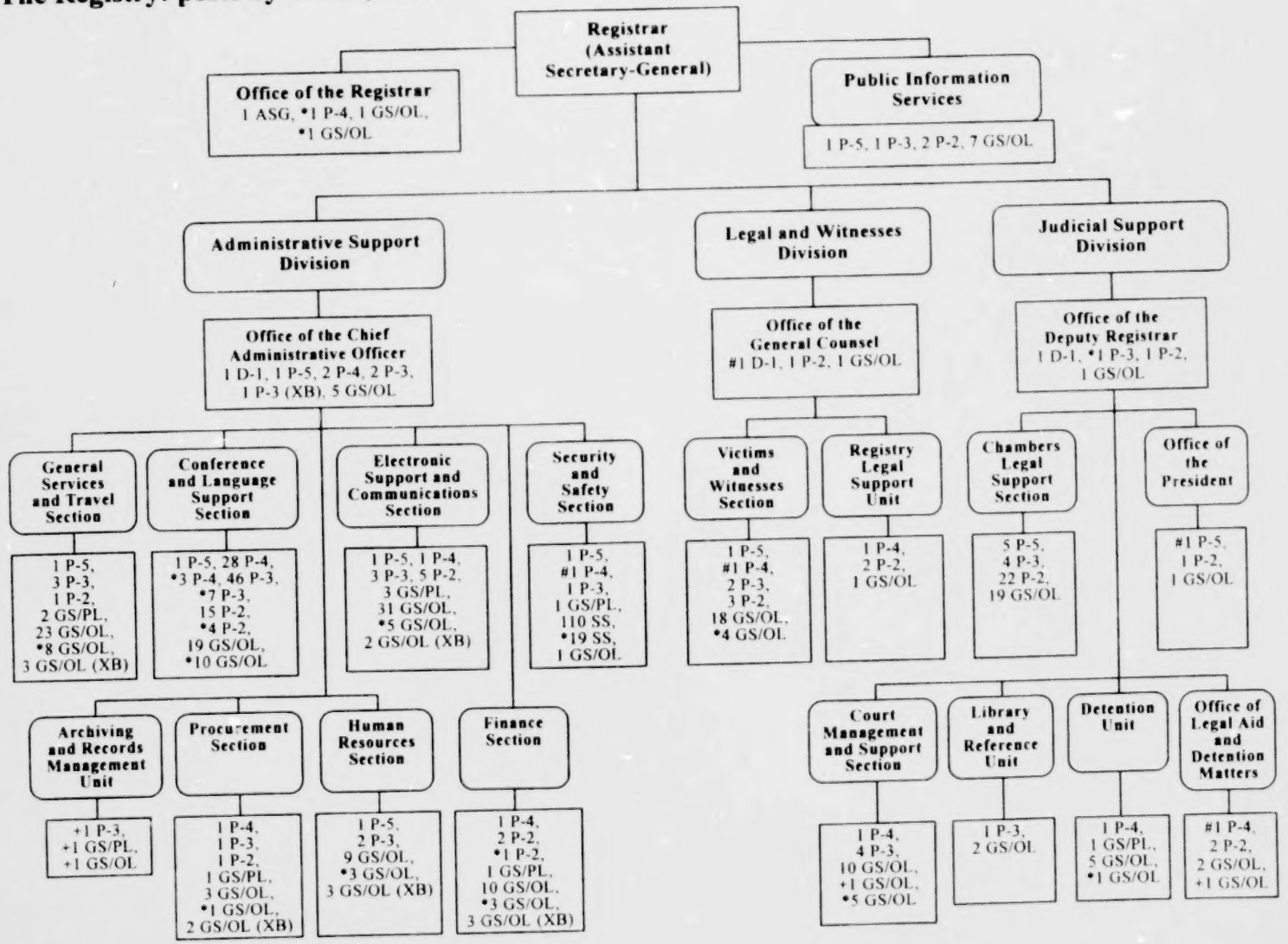


Office of the Prosecutor: post summary, 2001


Prosecutor
(USG)
International Criminal Tribunal for Rwanda Support Unit
Secretariat/Immediate Office of the Prosecutor and Deputy Prosecutor
Appeals Unit
1 P-4, 1 P-3, 1 GS/PL, 1 GS/OL
Deputy Prosecutor (D-2)
1 P-5, 3 P-4, 1 P-3, 1 GS/PL, 3 GS/OL
1 P-5, 2 P-4, +1 P-4, 2 P-3, *1 P-3, *1 P-2, 1 GS/OL
Investigation Division
Prosecution Division
1 D-1, 5 P-5, 20 P-4, *1 P-4, 83 P-3, 53 P-2, 108 GS/OL, *2 GS/OL
1 D-1, 9 P-5, *2 P-5, 31 P-4, *2 P-4, 6 P-3, #8 P-3, *1 P-3, +1 P-2, 21 GS/OL, *3 GS/OL

* - New.
\# - Reclassified.
\+ - Redeployed.

The Registry: posts by Office, 2001


Registrar (Assistant Secretary-General)
Office of the Registrar
1 ASG, •1 P-4, 1 GS/OL, •1 GS/OL
Public Information Services
1 P-5, 1 P-3, 2 P-2, 7 GS/OL
Administrative Support Division
Legal and Witnesses Division
Judicial Support Division
Office of the Chief Administrative Officer
1 D-1, 1 P-5, 2 P-4, 2 P-3, 1 P-3 (XB), 5 GS/OL
Office of the General Counsel
#1 D-1, 1 P-2, 1 GS/OL
Office of the Deputy Registrar
1 D-1, •1 P-3, 1 P-2, 1 GS/OL
General Services and Travel Section
1 P-5, 3 P-3, 1 P-2, 2 GS/PL, 23 GS/OL, •8 GS/OL, 3 GS/OL (XB)
Conference and Language Support Section
1 P-5, 28 P-4, •3 P-4, 46 P-3, •7 P-3, 15 P-2, •4 P-2, 19 GS/OL, •10 GS/OL
Electronic Support and Communications Section
1 P-5, 1 P-4, 3 P-3, 5 P-2, 3 GS/PL, 31 GS/OL, •5 GS/OL, 2 GS/OL (XB)
Security and Safety Section
1 P-5, #1 P-4, 1 P-3, 1 GS/PL, 110 SS, •19 SS, 1 GS/OL
Victims and Witnesses Section
1 P-5, #1 P-4, 2 P-3, 3 P-2, 18 GS/OL, •4 GS/OL
Registry Legal Support Unit
1 P-4, 2 P-2, 1 GS/OL
Chambers Legal Support Section
5 P-5, 4 P-3, 22 P-2, 19 GS/OL
Office of the President
#1 P-5, 1 P-2, 1 GS/OL
Archiving and Records Management Unit
+1 P-3, +1 GS/PL, +1 GS/OL
Procurement Section
1 P-4, 1 P-3, 1 P-2, 1 GS/PL, 3 GS/OL, •1 GS/OL, 2 GS/OL (XB)
Human Resources Section
1 P-5, 2 P-3, 9 GS/OL, •3 GS/OL, 3 GS/OL (XB)
Finance Section
1 P-4, 2 P-2, •1 P-2, 1 GS/PL, 10 GS/OL, •3 GS/OL, 3 GS/OL (XB)
Court Management and Support Section
1 P-4, 4 P-3, 10 GS/OL, +1 GS/OL, •5 GS/OL
Library and Reference Unit
1 P-3, 2 GS/OL
Detention Unit
1 P-4, 1 GS/PL, 5 GS/OL, •1 GS/OL
Office of Legal Aid and Detention Matters
#1 P-4, 2 P-2, 2 GS/OL, +1 GS/OL

• - New
- Reclassified
+ - Redeployed

Annex IX

Financial implications of the introduction of ad litem judges

1. The Tribunal aims to expand its trial capacity by introducing use of ad litem judges, as a part of the medium and longer term measures designed to improve the operations of the International Tribunal for the Former Yugoslavia. The proposals are based on the study on the operation of the Tribunal, submitted as part of the report on the operation of the International Tribunal for the Former Yugoslavia (A/55/382-S/2000/865). Introduction of ad litem judges provides sufficient flexibility to allow the Tribunal to adapt to the possible developments and workloads in terms of indictments and arrests.

2. For 2001, it is proposed, subject to a decision by the Security Council to modify the statute, that six ad litem judges will work on two additional trial cases. The additional two trials would affect resources in areas related to trial activities and operations of courtrooms, such as the number of witnesses, pages of documents and records, requirements of language supports.

3. With regard to the Tribunal's court capacity, it is assumed that the existing courtrooms will accommodate two extra trial chambers not only through the increased number of court sessions but also through extending the court hours. The courts currently sit for two court sessions of two to three hours per day, though there is no formal set schedule. It is expected that the extended hours will be nearer 9.30 to 1.30 p.m. and 2.30 to 6 p.m. i.e. approximately 7.5 hours per day, about 50 per cent longer than the current court hours per day. Since this system will be introduced for the first time in 2001, temporary assistance and overtime for certain support functions for trials, such as conference interpreters and court management, is proposed to ensure flexibility. If the experience in 2001 proves that, owing to the longer court hours, additional resources are necessary, a further request will be submitted in the context of the budget for 2002.

4. The costs relating to six additional ad litem judges for six months of 2001, inclusive of support staff, supplies, equipment and services, would total $5,280,900 ($4,899,400 net) as follows:

Table 1
Summary of requirements, by object of expenditure
(Thousands of United States dollars)

Object of expenditure	*The Chambers*	*Office of the Prosecutor*	*Registry*	*Total*
Expenditure				
Temporary posts	-	184.7	977.0	1 161.7
Other staff costs	-	43.2	651.0	694.2
Salaries and allowances of judges	638.4	-	-	638.4
Consultants and experts	-	11.1	11.1	22.2
Travel	-	36.0	501.1	537.1
Contractual services	-	-	1 247.1	1 247.1
Hospitality	-	-	-	-
General operating expenses	-	-	229.2	229.2
Supplies and materials	-	-	74.8	74.8
Acquisition of equipment	-	-	294.7	294.7
Staff assessment	-	54.1	327.4	381.5
Total expenditures (gross)	**638.4**	**329.1**	**4 313.4**	**5 280.9**
Income				
Staff assessment	-	54.1	327.4	381.5
Total requirements (net)	**638.4**	**275.0**	**3 986.0**	**4 899.4**

Table 2
Summary of post requirements

	The Office of the Prosecutor 2001 estimate	*Registry 2001 estimate*	*Total*
Professional category and above			
D-1	-	-	-
P-5	1	-	1
P-4	2	4	6
P-3	1	7	8
P-2/1	-	7	7
Subtotal	**4**	**18**	**22**

	The Office of the Prosecutor 2001 estimate	*Registry 2001 estimate*	*Total*
General Service category			
Principal level	-	-	-
Other level	3	20	23
Security	-	9	9
Subtotal	**3**	**29**	**32**
Total	**7**	**47**	**54**

A. Chambers

Salaries and allowances of judges

5. The provision of $638,400 under the Chambers includes compensation to ad litem judges as follows:

(a) Judges' salaries ($480,000). The provision is based upon 36 work months, i.e. six judges for six months each.

(b) Common costs of judges ($158,400). It is assumed that the incoming ad litem judges will be eligible for similar relocation and installation allowances as the existing judges. Provision is therefore requested for relocation and installation allowances for six incoming judges, as above ($158,400).

B. Office of the Prosecutor

Temporary posts

6. The introduction of six ad litem judges will increase the trial capacity, by adding two more active trials in 2001. It is proposed to establish seven additional posts for one trial team in order to manage the expected increase in trial activities. The net amount of $184,700 would be required for 2001. The proposed seven new posts by functional title are as follows:

	Professional category and above					*General Service and related categories*				
	P-5	*P-4*	*P-3*	*P-2*	***Subtotal***	*Principal level*	*Other level*	*Security Service*	***Subtotal***	***Grand total***
Prosecution Division										
Trial Section										
Senior Trial Attorney	1				1				-	1
Legal Officer (Trial Team)			1		1				-	1
Trial Support Unit										
Case Manager					-		1		1	1
Trial Support Assistant					-		1		1	1
Trial Support Clerk					-		1		1	1
Co-Counsel and Team Legal Advisers Units										
Team Legal Adviser		2			2				-	2
Total for the Office of the Prosecutor	**1**	**2**	**1**	**-**	**4**	**-**	**3**	**-**	**3**	**7**

Other staff costs

7. The provision of $43,200 is proposed for the increased overtime requirements. The employment of six ad litem judges and the extended court hours will lead to a greater need for overtime among the trial teams. It is estimated that an additional 2,000 hours overtime will be required to compensate staff during extended hours of the Courts.

Consultants

8. The provision of $11,100 is due to the increased requirements for consultants by the Prosecution Division. In this area consultants are requested for proofing prior to testimony as expert witnesses or to consult on the assessment of evidence such as forensic evidence. The provision is based on an additional four consultants for 20 days.

Travel

9. It is expected that an additional 30 witness proofing missions by the Prosecution Division will be required. The provision of $36,000 is proposed for this purpose.

Staff assessment

10. Staff assessment for the proposed staffing table for the Office of the Prosecutor totals $54,100.

C. Registry

Temporary posts

11. It is proposed to establish 45 new posts to support the ad litem judges and extended court hours, mainly in the areas of legal support for judges, translation and

language support for additional trials and documents, and support for the courtroom operations. The net amount of $977,000 would be required for 2001. The proposed 45 temporary posts by functional title follows:

	Professional category and above					*General Service and related categories*				
	P-5	*P-4*	*P-3*	*P-2*	***Subtotal***	*Principal level*	*Other level*	*Security Service*	***Subtotal***	***Grand total***
Judicial and Legal Services Division										
Chambers Legal Support Section										
Legal Officer			2		**2**				-	2
Associate Legal Officer (Judges)				6	**6**				-	6
Secretary (Judges)					-		6		**6**	6
Legal Division					-					
Victims and Witnesses Section										
Associate Protection Officer				1	**1**				-	1
Field Assistant					-		1		**1**	1
Witness Assistant					-		3		**3**	3
Language Assistant					-		1		**1**	1
Witness Clerk					-		1		**1**	1
Division of Administration										
Security and Safety Section										
Security officer					-			9	**9**	9
Conference and Language Services Section										
Administrative assistant					-		1		**1**	1
Document control clerk					-		1		**1**	1
Translator/Reviser — English		3			**3**				-	3
Translator — English			3		**3**				-	3
Text processing clerk — English					-		1		**1**	1
Language Assistant					-		1		**1**	1
Translator/Reviser — French			1		**1**				-	1
Translator — French			2		**2**				-	2
Text processing clerk — French					-		1		**1**	1
Electronic Support and Communications Section										
Audio-visual technician					-		1		**1**	1
Video Director					-		1		**1**	1
Court Computer Operations Assistant					-		1		**1**	1
Total for the Registry	**-**	**4**	**7**	**7**	**18**	**-**	**20**	**9**	**29**	**47**

Other staff costs

12. The estimated cost of $651,000 would provide the following:

(a) Temporary assistance for meetings — conference interpretation ($541,300). In 2001, it is expected that the courtrooms will be used fully, with extended hours, which will make it impossible to use the same teams which have been working during the day. For this reason, the provision of $351,000 is requested to cover the court sessions. The provision is based on use of nine outside contractors upon arrival of ad litem judges for 100 court days, totalling 900 days, at $390 per day ($351,000). In addition to the above fees, Court Interpreters are eligible for payment of travel and subsistence allowances when they are away from home. A provision of $190,300 is requested to cover 900 days daily subsistence allowance at Netherlands guilder 374 per day, plus 90 return tickets at an average of $600;

(b) Temporary assistance for meeting — field interpretation ($18,300). The provision is based on the assumption that 37 additional missions by the Prosecutions and the Victims and Witnesses Unit would require interpretation services in the former Yugoslavia;

(c) Overtime ($91,400). An additional provision for overtime will be required to cover extended court hours and for the period when existing staff members will have to cover for new posts pending recruitment. The provision is based on approximately 4,500 hours which relate to the extended court hours required in 2001.

Consultants

13. The provision of $11,100 is requested under consultants. It is estimated that an additional four expert witnesses will be called, for an average duration of five days.

Travel

14. The provision of $501,100 under this heading consists of the following:

(a) Travel of witnesses ($464,300). It is expected that the additional active trials would bring the increased number of witnesses into the Court for the purpose of testimony. The provision is based on additional 134 witnesses and 25 support persons;

(b) Official travel of staff ($36,800). Additional amount of $36,800 is proposed for 33 additional witness escort missions by the staff of the Victims and Witnesses Section.

Contractual services

15. The provision of $1,247,100 is made for the following increased requirements:

(a) Defence counsel ($750,000). Should further judges be assigned to the Tribunal, this would have an effect on the number of trials and appeals that could be carried out at the same time. The increased requirement for remuneration and travel costs of the defence total $750,000, assuming a far greater incidence of payments to defence counsel during trial;

(b) Verbatim reporting ($474,100). This additional provision is based on the increased number of court sessions anticipated. It is estimated that teams of verbatim reporters would be required for a total of 112 work days for 2001;

(c) Photo visual materials ($23,000). An additional amount of $23,000 will be required to cover the photo visual materials required as a result of the higher level of court activities.

General operating expenses

16. The additional provision of $229,200 would be required in order to support the increased number of staff and court activities as follows:

(a) Rental of office equipment ($57,500). It is estimated that the increased need for photocopies would require the rental of additional photocopiers ($57,500);

(b) Commercial communications ($44,400). The additional judges and staff are expected to increase communications usage charges by $44,400;

(c) Insurance ($1,600). Insurance coverage for these additional witnesses is estimated at $1,600 for a total requirement (134 witnesses for nine days at $1.31/day);

(d) Claims and medical services for witnesses ($119,400). The increased number of witnesses will result in more claims in terms of loss of earnings for witnesses ($14,400), medical examinations of witnesses ordered by the Courts ($7,000) and for relocation costs for witnesses and their families ($98,000);

(e) Cleaning of clothing and uniforms ($6,300). The provision includes $2,000 for cleaning of additional judges' robes for six months of 2001, plus $4,300 for cleaning of uniforms for new security officers.

Supplies and materials

17. The provision of $74,800 is due to the increased requirements by the six ad litem judges and newly proposed staff. This includes office supplies ($7,100), data-processing supplies ($6,500), photocopy paper and supplies ($8,400), audio-visual supplies ($37,500), uniforms for security officers ($15,300).

Acquisition of equipment

18. The provision of $294,700 is proposed in order to cover requirements of the addition of six ad litem judges and newly proposed staff. The provision includes furniture and fixtures ($181,300), electronic data-processing equipment ($93,000), communications equipment ($11,400) and weapons for security officers ($9,000).

Staff assessment

19. Staff assessment for the proposed staffing table for the Registry totals $327,400.

Annex X

Financing of the International Tribunal for the Former Yugoslavia for 2001

	Gross	*Net*
	(United States dollars)	
Estimated appropriation for 2001	111 464 300	111 180 800
Add:		
Estimated unencumbered balance for 1999 that was taken into account and reduced from the assessment for 2000 (see resolutions 54/239 A and B)	8 200 000	8 200 000
Less:		
Actual unencumbered balance for 1999	(14 073 600)	(13 614 300)
Estimated unencumbered balance for 2000	(2 500 000)	(2 227 000)
Interest and other miscellaneous income for the biennium 1998-1999 as at 31 December 1999	(3 412 000)	(3 412 000)
Estimated income for 2001	(77 200)	
Balance to be assessed for 2001	100 601 500	89 127 500
of which:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2001	50 300 750	44 563 750
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations for 2001	50 300 750	44 563 750